

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
MARCH 20, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by K.C. Zeeman and the invocation was offered by Humanist Celebrant Randy Thomson.

Mayor Pike read a proclamation proclaiming the 4th week of March, 2014 as "Wellness Week". He mentioned the Wellness Fair that will take place on March 28, 2014 at the Senior Center.

AIRPORT HANGAR AGREEMENT:

Consider approval of an airport hangar agreement with Steven Howcroft for airport hangar 56A.

City Manager Gary Esplin advised the hangar is being sold to Day Air, LLC, who meets all requirements.

MOTION: A motion was made by Councilmember Almquist to approve the airport hangar agreement with Steven Howcroft for airport hangar 56A.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AIRPORT HANGAR AGREEMENT:

Consider approval of an airport hangar agreement with Day Air, LLC for airport hangar 57B.

MOTION: A motion was made by Councilmember Almquist to approve the airport hangar agreement with Day Air, LLC for airport hangar 57B.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for underground wire puller with trailer, compressor and telescoping arms for Energy Services.

Purchasing Manager Connie Hood advised there were 3 bids received, HD Supply met all the specifications and had the shortest delivery time. The bid came in under the budgeted amount.

MOTION: A motion was made by Councilmember Hughes to award the bid for the underground wire puller to HD Supply for \$102,929.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider approval of a blanket bid award with both Codale and HD Supply for electrical materials for the Energy Services warehouse.

Purchasing Manager Connie Hood advised this blanket bid award is bid out each year to get pricing for the City's warehouse items. The amount will not exceed \$350,000 for the fiscal year. There are 2 major suppliers, Codale and HD Supply which came in closely on numbers. Both suppliers have agreed to split the award for a primary and a secondary supplier based on the separate prices submitted for 9 categories.

MOTION: A motion was made by Councilmember Randall to award the bid to Codale and HD Supply for electrical materials for the Energy Services warehouse in an amount not to exceed \$350,000.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

FEE WAIVER REQUEST:

Consider approval of a fee waiver for the use of Cottonwood Cove Park for the Breathe Easy 5K event. Steve Rossberg, applicant.

Steve Rossberg, applicant, stated this is the 4th Breathe Easy 5K event, which is part of the Health Department Foundation. He is requesting a fee waiver for the use of Cottonwood Cove Park. They are doing a family fun race and have lowered their fees. Their goal is to have people be more active.

MOTION: A motion was made by Councilmember Bowcutt to approve the fee waiver for the use of Cottonwood Cove Park for the Breathe Ease 5K event.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye

Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

FEE WAIVER REQUEST:

Consider approval of a fee waiver for the use of Vernon Worthen Park for the Honoring Veterans Event 2. Robert P. Lehmkuhl, applicant.

City Manager Gary Esplin advised the Honoring Veterans Event 2 will be held at Vernon Worthen Park on April 19, 2014 from 8:30 a.m. to 3:00 p.m.. This event will honor all veterans, especially those that served in the Korean War.

Robert P. Lehmkuhl (J.R.) stated that hey are a 501c3 organization. The charity is wonderful to help veterans that have monetary or physical disabilities in their home.

Councilmember Randall stated the event will actually start at 9:30 a.m.

MOTION: A motion was made by Councilmember Randall to waive the fees.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

SET PUBLIC HEARING:

Ray Snyder advised the Planning Commission at its meeting held March 11, 2014, recommended a public hearing be set for April 17, 2014 to consider a zone change request from R-1-10 to C2 for the proposed "Medical Dialysis" professional building on 1.86 acres located at approximately 650 South and 1000 East.

MOTION: A motion was made by Councilmember Hughes to set the hearing for April 17, 2014.
SECOND: The motion was seconded by Councilmember Bowcutt
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

FINAL PLATS:

Todd Jacobsen presented the final plats for: 1) Estates at Hidden Valley Phase 7, an 18 lot residential subdivision located at Athens Drive and Rome Drive, zoning is PD-R; 2) Estates at Hidden Valley Phase 8, a 20 lot residential subdivision located at Lake Placid Drive and Rome Drive, zoning is PD-R; 3) Meadow Valley Farms Phase 8, a 2 lot residential subdivision located at 3910 South and Bentley Road, zoning is RE-20; 4) Mulberry Estates Phase 5, a 17 lot residential subdivision located at approximately 3150 South and 2880 East, zoning is RE-20 and R-1-12; 5) Sun River St. George Phase 37, a 14 lot residential subdivision located at English Ivy Drive and White Stone Drive, zoning is PD-R; 6) Sun River St. George Phase 38, a 14 lot residential subdivision located at Pearl Vista Drive and

White Stone Drive, zoning is PD-R and 7) Sun River St. George Phase 39, an 11 lot residential subdivision located at Pearl Vista Drive and Silk Berry Circle, zoning is PD-R.

MOTION: A motion was made by Councilmember Arial to approve the final plats.
SECOND: The motion was seconded by Councilmember Hughes.

Councilmember Almquist inquired about the equestrian easement in the Mulberry Estates Phase 5 subdivision. He asked if the adjacent property owners are part of the equestrian easement.

Mr. Jacobsen replied yes. He explained that because of the zoning and buffer requirement, the equestrian easement has been planned for a long time. The trail is planned throughout the entire area.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to construct a gazebo structure up to 22' tall in the rear yard of the residence located at 3394 East 2000 South. Jared Wittwer, applicant.

Craig Harvey presented the request for a conditional use permit to construct a detached gazebo building in the rear yard of the residence located at 3394 East 2000 South. A conditional use permit is being requested since the height will exceed the allowable building height of 15 feet. The proposed structure will be approximately 22 feet high and will be located in the rear yard approximately 70 feet from the main dwelling, 62 feet from the rear property line and 50 feet from the side property line.

MOTION: A motion was made by Councilmember Randall to approve the conditional use permit to construct the gazebo.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

BUILDING DESIGN CONCEPTUAL SITE PLAN:

Ray Snyder presented the building design conceptual site plan for a proposed 78 unit Estancia Resort Condominiums at Green Valley on 5.7 acres located at approximately 1151 South Plantations Drive. There are four proposed buildings, each of which will be three stories tall, with a minor four story section in the middle.

MOTION: A motion was made by Councilmember Arial to approve the conceptual site plan.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PEDESTRIAN SHELTER AT CROSSWALK:

Ray Snyder presented the request for a pedestrian shelter at a crosswalk for Dixie Regional Medical. The proposal is to install a small pedestrian shelter near the exiting crosswalk on Foremaster Drive at about 1400 East. The shelter will be located approximately 6 feet behind the sidewalk and located on the north side of Foremaster Drive. Planning Commission recommends approval.

Mayor Pike advised there have been a couple of pedestrians hit while in the crosswalk.

MOTION: A motion was made by Councilmember Randall to approve the pedestrian shelter at crosswalk at 1400 East and Foremaster Drive.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin stated that the budget request for FY 2014-15 will include funds to replace culverts that are currently under the wash. At that time, IHC has requested that they join with the City to install a path underneath the road.

Mr. Snyder mentioned that staff held a special training session for the three newly appointed Planning Commission members on Tuesday, March 4, 2014. He stated that it turned out well.

APPOINTMENT:

Mayor Pike advised that he recommends Todd Jones to chair the Animal Shelter committee.

MOTION: A motion was made by Councilmember Hughes to appoint Todd Jones as the chair of the Animal Shelter Committee.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

**PUBLIC HEARING/FISCAL YEAR 2013-14 BUDGET AMENDMENT/RESOLUTION:
Public hearing to approve amendments to the FY 2013-14 budget.**

City Manager Gary Esplin advised the State requires a public hearing to amend the budget. He outlined the following amendments to the budget: 1) To budget for increased marketing costs for the Snow Canyon ½ Marathon funded by a \$10,000 grant from the Sports and Events Commission; 2) To increase the professional services budget for outsourced plan

review and inspection services due to increase building activity; 3) To budget for the bond interest payment due June 1, 2014 for the new 2014 Franchise Tax Revenue Bonds for the Mall Drive Bridge project; 4) To budget for the purchase of a body-worn camera system and computer server for the Police Dept. fully funded by Federal, State, and Drug Seizure funds; 5) To budget for reimbursement of trail improvements in the Willows at Bloomington subdivision (formerly Las Colinas) where the City advance-funded the improvements in FY2009 in order to make the connection between Bloomington and SunRiver, and the developer reimbursed the City in accordance to the Development Agreement; 6) To budget for emergency repairs at the Community Arts Building where water damage of the support beams was discovered and required immediate attention; 7) To budget for improvements of the retaining wall, landscaping, and cement tank at the City Water Yard as part of the Red Hills Parkway reconstruction project; 8) To budget for the City's contribution, and a contribution from the Bloomington Community Council, towards constructing pickleball courts, lighting, and landscaping at Bloomington Park; 9) To add remodeling costs of a restroom, office space, and classroom on the lower level entry to the East Annex Building reconstruction project. The amount will be \$61,000 rather than \$50,000 as originally planned; 10) To budget for the design, engineering, geotechnical, and other professional services related to the All Abilities Park to prepare for construction in the Fiscal Year 2014-15; 11) To budget for distributions of accumulated Drug Seizure Funds to participating area agencies to assist with their purchase of Task-Force related equipment; 12) To budget for the upfit of five vehicles for the Drug Task Force; 13) To approve funds to remodel office space in the East Annex building to house the Gang/FIST detectives; 14) To approve funds to install a surveillance system in the new Drug Task Force area in the East Annex building; 15) To approve funds to purchase a replacement vehicle for the Task Force canine detective; 16) To budget for developer requested and paid improvements in conjunction with the Little Valley Road improvement project; 17) To budget for the City Creek Drainage improvement project out of the Public Works Capital Projects Fund instead of out of the Drainage Utility Fund for asset accounting purposes; and 18) To budget for the Sand Hollow Wash trail and pedestrian crossing and the corresponding funding sources from a re-allocation of budget from the St. James Park improvements and a transfer from the Capital Projects Fund.

Mayor Pike opened the public hearing. Seeing none, he closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the resolution amending the 2013-14 budget as shown with the adjustment to the East Annex bid.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on January 30, 2014.

MOTION: A motion was made by Councilmember Arial to approve the minutes.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on February 6, 2014.

MOTION: A motion was made by Councilmember Bowcutt to approve the minutes.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CLOSED SESSION:

MOTION: A motion was made by Councilmember Hughes to discuss property.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION: A motion was made by Councilmember Almquist to reconvene and adjourn.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

DRAFTAgenda Item Number : **1A****Request For Council Action**

Date Submitted 2014-03-14 09:46:45**Applicant** Rich Stehmeier**Quick Title** Airport Hangar Agreement - Steven Howcroft**Subject** Consider approval of a revised agreement with Steven Howcroft for Airport Hangar 56A.**Discussion** The purpose of this revision is to remove hangar 57B, which has been sold to Day Air, LLC, from the original agreement. He retains ownership of 56A.**Cost** \$0.00**City Manager Recommendation** Housekeeping item as the hanger is being sold to Day Air, LLC.**Action Taken****Requested by** Cameron Cutler**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

DRAFTAgenda Item Number : **1B****Request For Council Action**

Date Submitted 2014-03-14 09:40:13**Applicant** Rich Stehmeier**Quick Title** Airport Hangar Agreement - Day Air LLC**Subject** Consider approval of an agreement with Day Air, LLC, Kent Rasmussen, for Airport Hangar 57B.**Discussion** He is buying this hangar from Steven Howcroft.**Cost** \$0.00**City Manager Recommendation** Meets all the requirements, recommend approval.**Action Taken****Requested by** Cameron Cutler**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

DRAFTAgenda Item Number : **2A**

Request For Council Action

Date Submitted 2014-03-17 12:38:58**Applicant** C. Hood**Quick Title** Bid Award**Subject** Underground Wire Puller with Trailer, Compressor and Telescoping Arms for Energy Services**Discussion** Received 3 bids, only one is in the state. After review, HD Supply met all the specifications and had the shortest delivery time. (4-5 weeks)**Cost** \$102,929.00**City Manager Recommendation** Included in the current Energy Services budget. Recommend approval.**Action Taken****Requested by** Courtney Stephens/FI**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments** This is included in this years budget. This is a specialized piece of equipment and very few manufacturers' make these.

DRAFTAgenda Item Number : **2B**

Request For Council Action

Date Submitted 2014-03-10 15:56:31

Applicant Connie Hood

Quick Title Blanket Bid Award

Subject Electrical Materials for the Energy Warehouse

Discussion Renew an annual blanket P.O. with both Codale and HD Supply as per their bids. Split asward for a primary and a secondary supplier based on the separte prices submitted for 9 catagories

Cost \$350,000

City Manager Recommendation Recommend approval.

Action Taken

Requested by Luke/Energy Warehous

File Attachments

Approved by Legal Department?

Approved in Budget? **Amount:**

Additional Comments Two local suppliers bid on these misc. items. Both suppliers agreed to split award based on price and availability. Total blanket award is estimated at \$ 350,000 total annual usage.

DRAFTAgenda Item Number : **3A**

Request For Council Action

Date Submitted 2014-03-07 10:23:57**Applicant** City of St. George**Quick Title** Public Hearing to Approve Amendments to FY 2013-14 Budget**Subject** Public Hearing to accompany the Resolution to Approve Amendments to Fiscal Year 2013-14 Budget.**Discussion****Cost** \$0.00**City Manager Recommendation** Public hearing to consider adjustments to the current fiscal budget. Utah State law requires a public hearing in order to change the budget. For items to be considered see the resolution.**Action Taken****Requested by** Deanna Brklacich**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**



CITY OF ST. GEORGE
Budget Opening - Fiscal Year 2013-14
March 20, 2014

FINAL

GENERAL FUND ADJUSTMENTS

1	10-4561-2200	Ordinances & Publications - Recreation Administration	10,000	
	10-34730	Recreation Fees		10,000

To budget for increased marketing costs for the Snow Canyon 1/2 Marathon funded by a \$10,000 grant from the Sports and Events Commission.

2	10-4240-3100	Professional & Tech Services - Building Inspections	10,000	
	10-34130	Planning Fees		10,000

To increase the professional services budget for outsourced plan review and inspection services due to increased building activity.

3	10-4413-8200	Interest on Bonds - Streets Dept.	104,304	
	10-4810-9100	Transfers to Other Funds		104,304

To budget for the bond interest payment due June 1, 2014 for the new 2014 Franchise Tax Revenue Bonds for the Mall Drive Bridge project.

4	10-4211-2700	Special Dept. Supplies - Police Dept.	18,810	
	10-33100	Federal Grants - OJP JAG Grant 2013		13,869
	10-33400	State Grants - Utah Highway Safety Grant		4,941
	50-5000-7401	Task Force Equipment Purchases - Drug Seizure Fund	25,000	
	50-36401	Drug Seizure Forfeitures - Drug Seizure Fund		25,000

To budget for the purchase of a body-worn camera system and computer server for the Police Dept. fully funded by Federal, State, and Drug Seizure funds.

CAPITAL PROJECTS FUND (CPF)

5	40-38304	Contributions		85,000
	40-38800	Appropriated Fund Balance	85,000	

To budget for reimbursement of trail improvements in the Willows at Bloomington subdivision (formerly Las Colinas) where the City advance-funded the improvements in FY2009 in order to make the connection between Bloomington and SunRiver, and the developer reimbursed the City in accordance to the Development Agreement.

6	40-4000-7300	Improvements	47,638	
	40-38800	Appropriated Fund Balance		47,638

To budget for emergency repairs at the Community Arts Building where water damage of the support beams was discovered and required immediate attention.



CITY OF ST. GEORGE
Budget Opening - Fiscal Year 2013-14
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7	40-4000-9100	Transfers to Other Funds - Capital Project's Fund	21,503	
	40-38800	Appropriated Fund Balance - Capital Project's Fund		21,503
	27-2700-9100	Transfers to Other Funds - Transportation Improvement Fund	69,330	
	27-38800	Appropriated Fund Balance - Transportation Improvement Fund		69,330
	51-38200	Transfers from Other Funds - Water Dept.		90,833
	51-5114-4920	Distribution Materials - Water Dept.	90,833	

To budget for improvements of the retaining wall, landscaping, and cement tank at the City Water Yard as part of the Red Hills Parkway reconstruction project.

8	40-4000-XXXX	Bloomington Pickleball Courts - Capital Project's Fund	228,412	
	40-38304	Contributions from Others - Capital Project's Fund		43,412
	40-38800	Appropriated Fund Balance - Capital Project's Fund		185,000

To budget for the City's contribution, and a contribution from the Bloomington Community Council, towards constructing pickleball courts, lighting, and landscaping at Bloomington Park.

9	40-4000-7374	East Annex Building - Capital Projects Fund	50,000	
	40-38800	Appropriated Fund Balance - Capital Projects Fund		50,000

To add remodeling costs of a restroom, office space, and classroom on the lower level entry to the East Annex Building reconstruction project.

10	40-4000-7380	All Abilities Park - Capital Projects Fund	95,000	
	40-38800	Appropriated Fund Balance - Capital Projects Fund		95,000

To budget for the design, engineering, geotechnical, and other professional services related to the All Abilities Park to prepare for construction in Fiscal Year 2014-15.

OTHER FUNDS

11	50-5000-3140	Equitable Sharing Payments to Other Agencies - DSF	61,700	
	50-38800	Appropriated Fund Balance - Drug Seizure Fund		61,700

To budget for distributions of accumulated Drug Seizure Funds to participating area agencies to assist with their purchase of Task-Force related equipment.

12	50-5000-7401	Task Force Equipment Purchases - Drug Seizure Fund	17,285	
	50-38800	Appropriated Fund Balance - Drug Seizure Fund		17,285

To budget for the upfit of five vehicles for the Drug Task Force.



CITY OF ST. GEORGE
Budget Opening - Fiscal Year 2013-14
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FINAL

13	50-5000-7300 50-38800	Improvements - Drug Seizure Fund Appropriated Fund Balance - Drug Seizure Fund	9,030	9,030
To approve funds to remodel office space in the East Annex building to house the Gang/FIST detectives.				
14	50-5000-7300 50-38800	Improvements - Drug Seizure Fund Appropriated Fund Balance - Drug Seizure Fund	11,000	11,000
To approve funds to install a surveillance system in the new Drug Task Force area in the East Annex building.				
15	50-5000-7401 50-36401	Task Force Equipment Purchases - Drug Seizure Fund Drug Seizure Forfeitures - Drug Seizure Fund	35,000	35,000
To approve funds to purchase a replacement vehicle for the Task Force canine detective.				
16	87-8700-7673 87-38308	Little Valley Road - Public Works CPF Contributions from Private - Public Works CPF	22,658	22,658
To budget for developer requested and paid improvements in conjunction with the Little Valley Road improvement project.				
17	87-8700-7385 87-38200 59-5900-9100 59-5900-7300	City Creek Drainage Improvements - Public Works CPF Transfers from Other Funds - Public Works CPF Transfers to Other Funds - Drainage Utility Fund Improvements - Drainage Utility Fund	144,510 144,510	144,510 144,510
To budget for the City Creek Drainage improvement project out of the Public Works Capital Projects Fund instead of out of the Drainage Utility Fund for asset accounting purposes.				
18	44-4400-XXXX 44-4400-7882 44-34350	Sand Hollow Wash Trail Crossing - Park Impact Fund St. James Park Improvements (Phase 1) - Park Impact Fund Impact Fee Revenues - Park Impact Fund	300,000	183,350 116,650
To budget for the Sand Hollow Wash trail and pedestrian crossing and the corresponding funding sources from a re-allocation of budget from the St. James Park improvements and a transfer from the Capital Projects Fund.				

DRAFTAgenda Item Number : **5A**

Request For Council Action

Date Submitted 2014-03-07 10:20:28**Applicant** City of St. George**Quick Title** Resolution to Approve Amendments to Fiscal Year 2013-14 Budget**Subject** Resolution and Public Hearing to review and approve requested budget openings to the Fiscal Year 2013-14 Budget.**Discussion** This is the 3rd round of budget openings for this fiscal year. Our intention is to submit Budget Openings for approval every two to three months, as needed, to maintain compliance with the State Code. The next, and final anticipated budget openings for this fiscal year will be in June 2014.**Cost** \$0.00

City Manager Recommendation No major changes in the general fund except that we need to make our first payment for the Mall Drive bridge bond and it was not budgeted, recommend taking it out of the transfer to other funds account. Next year we will have the funds budgeted from the Class C allocation to cover the bond payments and interest. Other larger expenditures would include: Pickleball Courts at the Bloomington Park for \$228,412. \$90,833 to reimburse the Water department for improvements on Red Hills Parkway. \$300,000 from the Park Impact fund to cover the cost of the bridge and trail project across Sand Hollow wash as discussed with the City Council at the work meeting. Other technical adjustments for grants received or accounting requirements.

Action Taken**Requested by** Deanna Brklacich**File Attachments** [March 20, 2014 Budget Opening.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** [March 20, 2014 Budget Opening.pdf](#)

RESOLUTION NO. _____

**AMENDING THE 2013-2014 FISCAL BUDGET FOR THE
CITY OF ST. GEORGE, UTAH.**

WHEREAS, pursuant to the Uniform Fiscal Procedures Act for Utah Cities (the "Act"), the City of St. George is required to adopt an annual budget with regard to the funds of the City; and

WHEREAS, the City has complied with the provisions of the Act in adopting a budget, and setting and conducting public hearings on such budget.

NOW, THEREFORE, at a regular meeting of the City Council of the City of St. George, Utah, duly called, noticed and held on the 20th day of March, 2014, upon motion duly made and seconded, it is unanimously

RESOLVED that the 2013-2014 fiscal budget for the City of St. George thereto, is hereby amended. Said amendments are attached hereto as Exhibit "A."

VOTED UPON AND PASSED BY THE CITY COUNCIL OF THE CITY OF ST.
GEORGE AT A REGULAR MEETING OF SAID COUNCIL HELD ON THE 20TH
DAY OF MARCH, 2014.

Members of the Council Voting Aye

Gil Almquist
Jimmie Hughes
Michele Randall
Joe Bowcutt
Bette Arial

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

DRAFTAgenda Item Number : **6A**

Request For Council Action

Date Submitted 2014-03-11 16:14:14**Applicant** Steve Rossberg**Quick Title** Breathe Easy 5K**Subject** Consideration of a request to waive the use fee for the Cottonwood Cove Park.**Discussion** The Southwest Utah Public Health Foundation will be holding the 4th annual Breathe Easy 5K on Saturday, April 19 from 8:00 to 9:30 am. This event will support efforts to improve the health and wellness in Washington County. The net proceeds will benefit the Foundation, leading to a better overall health of the community.**Cost** \$0.00**City Manager Recommendation** Recommend approval.**Action Taken****Requested by** Bill Swensen**File Attachments** Breathe Easy 5K CC.pdf**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** Breathe Easy 5K CC.pdf

FOR OFFICE USE ONLY

Insurance Received:	Date Received:
Application Fee Paid:	Date Paid:



SPECIAL EVENT PERMIT APPLICATION CITY OF ST. GEORGE

City of St. George Special Events
175 E. 200 North
St. George, UT 84770

Phone: (435) 627-4128
Fax: (435) 627-4430
events@sgcity.org

EVENT NAME: BREATHE EASY 5K

Applicant's Name: STEVE ROSSBERG

Organization: SOUTHWEST UTAH PUBLIC HEALTH DEPT

Mailing Address: 1620 S 400 E #400

City, State, Zip: ST GEORGE UT 84770

Day Phone: 435-986-2589 Cell/other: 435-773-1376

E-mail: srossberg@swuhealth.org

Event Web Address (if applicable): breatheeasy5k.org

Alternate contact name: JEFF SHUMWAY Day Phone: 435-986-2585

Cell/other: E-mail: jshumway@swuhealth.org

EVENT DETAILS 4th ANNUAL BREATHE EASY 5K

LOCATION COTTON COVE PARK

Location Details/Address: 1027 S DIXIE DR ST GEORGE UT

Event	Date(s): <u>4/19/14 SAT</u>	Start time: <u>8:00 A</u>	End time: <u>9:30 A</u>
Set-up	Date(s): <u>4/19/14</u>	Start time: <u>6:30 A</u>	End time: <u>7:30 A</u>
Clean-up	Date(s): <u>4/19/14</u>	Start time: <u>9:30 A</u>	End time: <u>10:00 A</u>

Is this a recurring event? If yes; daily, weekly or other?

Is this a Annual Event? YES

If yes; Same date and Place? SAME MONTH - DIFF LOCATION

TYPE OF ACTIVITY check all that apply:

<input type="checkbox"/> Film Production	<input type="checkbox"/> Parade	<input type="checkbox"/> Cycling	<input checked="" type="checkbox"/> 5K	<input type="checkbox"/> Training Event	<input type="checkbox"/> Festival
<input type="checkbox"/> Outdoors Sales	<input checked="" type="checkbox"/> Fun run	<input type="checkbox"/> Sporting	<input type="checkbox"/> 10K	<input type="checkbox"/> Block Party	<input type="checkbox"/> Religious
		<input type="checkbox"/> Dance	<input type="checkbox"/> 1/2 Marathon	<input type="checkbox"/> Other:	

PARTICIPANTS

Number of participants expected: 300 Number of volunteers/event staff: 20

☒ Open to the Public ☐ Private Group/Party

If event is open to the public, is it: ☐ Entrance Fee/Ticketed Event? ☒ Fee for Participants/Racers/Runners Only

SPECIAL EVENT PERMIT APPLICATION

EVENT _____

Page 2 of 5

VENDORS/FOOD/ALCOHOL *check all that apply*

<input type="checkbox"/> Vendors/merchants	Quantity:	<input type="checkbox"/> Vendors <i>giving</i> away products/services	<input type="checkbox"/> Vendors <i>selling</i> products/food
<input checked="" type="checkbox"/> Food		<input type="checkbox"/> catered by restaurants/vendors	<input type="checkbox"/> prepared on site
<input checked="" type="checkbox"/> given away			
<input type="checkbox"/> Alcoholic Beverages			
<input type="checkbox"/> beer stands	<input type="checkbox"/> fenced in beer garden	<input type="checkbox"/> liquor sales	

SW Utah Health Dept., (435) 986-2580

Utah DABC, (801) 977-6800
Bus. Licensing, (435) 627-4740

TENTS/STAGES/STRUCTURES *(include details on site map)*

<input type="checkbox"/> Tents/Pop-up Canopies	Amount:	
	Dimensions:	
<input type="checkbox"/> Temporary Stage	Dimensions:	

SG Fire Dept. (435) 627- 4150

Description of Tents/Canopies/Stage, etc.:

SITE SETUP/SOUND *check all that apply (please include details on site map)*

<input type="checkbox"/> Fencing/Scaffolding		
<input type="checkbox"/> Barricades		
<input type="checkbox"/> Portable Sanitary Units		(must obtain privately)
<input type="checkbox"/> Music <i>if yes, check all that apply</i>	<input type="checkbox"/> Acoustic	<input type="checkbox"/> Amplified
<input checked="" type="checkbox"/> PA/Audio system	Type/Description:	
<input type="checkbox"/> Fireworks / Fire Performances / Open Flame		SG Fire Dept. (435) 627- 4150
<input type="checkbox"/> Propane/Gas on site		SG Fire Dept. (435) 627- 4150
<input type="checkbox"/> Trash/Recycle bin coordination on site		WCSW, (435) 673-2813

ROAD & SIDEWALK USE (ENCROACHMENT PERMITS) *You may begin to coordinate in advance with these contacts*

<input type="checkbox"/> Road Use	Location:	
	(please include details on site map)	SG City Public Works Dept., (435) 627-4050
<input type="checkbox"/> Sidewalk Use	Location:	
	(please include details on site map)	<input type="checkbox"/> Will stay on sidewalks and follow pedestrian laws
<input type="checkbox"/> Parade	# of Floats:	

SECURITY/OTHER

<input type="checkbox"/> Private Security/Officers	Company name:	<i>You may begin to coordinate in advance with these contacts:</i>
<input type="checkbox"/> Animals	Quantity:	# of Personnel:
<input type="checkbox"/> Motion Pictures/Videos	Other:	What kind:

My signature verifies that I have completed this application to the best of my knowledge and I am aware that I am responsible for paying for City services beyond "basic City services" (if applicable to my event).

Steven Rossberg

Print Applicant's Name

Steve Rossberg

Applicant's Signature

2-27-2014

Date

☐ Please do NOT include my event on the City Event Calendar Website

The Southwest Utah Public Health Foundation is holding its fourth Annual Breathe Easy 5K Run/Walk on Saturday, April 19, 2014. This event will allow us to support efforts to improve the health and wellness in Washington County. The net proceeds will benefit the Foundation, leading to better overall health of the community.

DRAFTAgenda Item Number : **6B****Request For Council Action**

Date Submitted 2014-03-11 16:03:48**Applicant** Robert P Lehmkuhl**Quick Title** Honoring Veterans Event 2**Subject** Consideration of a request to waive the use fee for the Vernon Worthen Park.**Discussion** The 2nd annual Honoring Veterans Event will be held on Saturday, April 19 from 8:30 am to 3 pm. This event is open to the public as they are invited to Vernon Worthen Park for a meet and greet with Veterans. All branches of the active duty military will be invited and special honors will be given to the Korea War Veterans.**Cost** \$0.00**City Manager Recommendation** Recommend approval.**Action Taken****Requested by** Bill Swensen**File Attachments** Honoring Veterans Event 2 CC.pdf**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** Honoring Veterans Event 2 CC.pdf

FOR OFFICE USE ONLY

Insurance Received:	Date Received:
Application Fee Paid	Date Paid:



SPECIAL EVENT PERMIT APPLICATION CITY OF ST. GEORGE

City of St. George Special Events
175 E. 200 North
St. George, UT 84770

Phone: (435) 627-4128
Fax: (435) 627-4430
events@sgcity.org

EVENT NAME: HONORING VETERANS EVENT 2
Applicant's Name: ROBERT P LEHMKUHL (J.R.)
Organization: MVAC AND PATRIOT GUARD RIDERS
Mailing Address: 260 N Dixie Drive
City, State, Zip: ST GEORGE UTAH 84770
Day Phone: 435-272-4650 Cell/other: 651-230-8313
E-mail: RPLEHMKUHL@MSN.COM
Event Web Address (if applicable):

Alternate contact name: Day Phone:
Cell/other: E-mail:

EVENT DETAILS See Page 3 of 5

LOCATION VERNON WORTHEN PARK

Location Details/Address:

Event	Date(s): <u>April 19th</u>	Start time: <u>8:30 AM</u>	End time: <u>3 pm</u>
Set-up	Date(s): <u>April 19th</u>	Start time: <u>8:30 AM</u>	End time: <u>9 AM</u>
Clean-up	Date(s): <u>April 19th</u>	Start time: <u>3 pm</u>	End time: <u>4 pm</u>

Is this a recurring event? Yes If yes; daily, weekly or other? Yearly

Is this a Annual Event? Yes If yes; Same date and Place? Yearly VERNON WORTHEN

TYPE OF ACTIVITY *check all that apply:*

<input type="checkbox"/> Film Production	<input type="checkbox"/> Parade	<input type="checkbox"/> Cycling	<input type="checkbox"/> 5K	<input type="checkbox"/> Training Event	<input checked="" type="checkbox"/> Festival
<input checked="" type="checkbox"/> Outdoors Sales	<input type="checkbox"/> Fun run	<input type="checkbox"/> Sporting	<input type="checkbox"/> 10K	<input type="checkbox"/> Block Party	<input type="checkbox"/> Religious
	<input type="checkbox"/> Dance	<input type="checkbox"/> 1/2 Marathon	<input type="checkbox"/> Other:		

PARTICIPANTS

Number of participants expected: Number of volunteers/event staff:
☒ Open to the Public ☐ Private Group/Party
If event is open to the public, is it: ☐ Entrance Fee/Ticketed Event? ☒ Fee for Participants/ Racers/Runners Only Motorcyclists

SPECIAL EVENT PERMIT APPLICATION

EVENT _____ -

Page 2 of 5

VENDORS/FOOD/ALCOHOL *check all that apply*

<input type="checkbox"/> Vendors/merchants	Quantity:	<input checked="" type="checkbox"/> Vendors <i>selling</i> products/food	
<input type="checkbox"/> Vendors <i>giving</i> away products/services			SW Utah Health Dept., (435) 986-2580
<input type="checkbox"/> Food		<input checked="" type="checkbox"/> prepared on site	
<input type="checkbox"/> given away	<input type="checkbox"/> catered by restaurants/vendors		Utah DABC, (801) 977-6800
<input type="checkbox"/> Alcoholic Beverages		<input type="checkbox"/> liquor sales	Bus. Licensing, (435) 627-4740
<input type="checkbox"/> beer stands	<input type="checkbox"/> fenced in beer garden		

TENTS/STAGES/STRUCTURES *(include details on site map)*

<input checked="" type="checkbox"/> Tents/Pop-up Canopies	Amount: <u>5 or 6</u>	SG Fire Dept. (435) 627- 4150
	Dimensions: <u>12 x 12</u>	
<input type="checkbox"/> Temporary Stage	Dimensions:	
Description of Tents/Canopies/Stage, etc.:		

SITE SETUP/SOUND *check all that apply (please include details on site map)*

<input type="checkbox"/> Fencing/Scaffolding		
<input type="checkbox"/> Barricades		(must obtain privately)
<input type="checkbox"/> Portable Sanitary Units		(must obtain privately)
<input checked="" type="checkbox"/> Music <i>if yes, check all that apply</i>	<input checked="" type="checkbox"/> Acoustic	<input checked="" type="checkbox"/> Amplified
<input checked="" type="checkbox"/> PA/Audio system	Type/Description: <u>2 speakers + mixer</u>	
<input type="checkbox"/> Fireworks / Fire Performances / Open Flame		SG Fire Dept. (435) 627- 4150
<input type="checkbox"/> Propane/Gas on site		SG Fire Dept. (435) 627- 4150
<input type="checkbox"/> Trash/Recycle bin coordination on site		WCSW, (435) 673-2813

ROAD & SIDEWALK USE (ENCROACHMENT PERMITS) *You may begin to coordinate in advance with these contacts*

<input type="checkbox"/> Road Use	Location:	SG City Public Works Dept., (435) 627-4050
	<i>(please include details on site map)</i>	
<input type="checkbox"/> Sidewalk Use	Location:	<input type="checkbox"/> Will stay on sidewalks and follow pedestrian laws
	<i>(please include details on site map)</i>	
<input type="checkbox"/> Parade	# of Floats:	

SECURITY/OTHER

You may begin to coordinate in advance with these contacts:

<input type="checkbox"/> Private Security/Officers	Company name:	# of Personnel:
<input type="checkbox"/> Animals	Quantity:	What kind:
<input type="checkbox"/> Motion Pictures/Videos	<input type="checkbox"/> Other:	

My signature verifies that I have completed this application to the best of my knowledge and I am aware that I am responsible for paying for City services beyond "basic City services" (if applicable to my event).

ROBERT P. LEHMKUHL
Robert P. Lehmkuhl
2-12-14
 Print Applicant's Name
 Applicant's Signature
Date

☐ Please do NOT include my event on the City Event Calendar Website

Special Event Permit Application Page 3 of 5

The Honoring Veterans Event 2 is this year's repeat of the successful event we had last year. The basics will be the same but on an even larger scale.

The event will invite all the people from around the county to Vernon Worthen Park for a meet and greet with veterans. We would like to give special honor to Korea War veterans. (They really never seem to get any recognition) There will be a high school band playing military songs. I will invite all branches of the active duty military just as we did last year. There will be military vehicles. I invite the mayor to give a speech. The pavilion will have a real nice PA system for that speech as well as announcements and will play Korea War period music for background entertainment. The flag will be raised to our National Anthem. We will invite all of the veteran service organizations in town to set up their own booth. This will give the visiting veterans a chance to stop by any of those booths and ask questions and possibly get assistance while doing so in a fun, relaxing atmosphere. Last year Irmita's restaurant made breakfast burritos and they were a huge success. They have agreed to do it again this year and are prepared to provide the proper licenses, permits and insurance to the city. Many retailers in town are willing to put up nice prizes for our raffle. A couple retailers may have a booth and a portion of sales will go to the charity. Last year we raised money for the new veterans home as well as the Lee Warren Monument. There will be a motorcycle charity ride incorporated in the event.

Special Event Permit Application Page 4 of 5

The proceeds from the motorcycle ride, the raffle, retailer sales and the breakfast burritos make up the charity fund. At present, I intend to set up a fund that will help pay for any expenses that may incur for the planned "stand down" that would happen in the future here in St George. The funds would cover expenses not covered by the government or the city. Any additional funds will go to the Washington County Veterans Foundation. The motorcycles will depart from the park at 11:30 however, the event will continue for the meet and greet as well as the VSO's providing their information to the veterans.

Last year a young boy walked up to an active duty Army man and thanked him for his service. He reported that to the Spectrum. But, what I saw in his face as he told me.....made me understand our mission had been accomplished.

DRAFTAgenda Item Number : **6C**

Request For Council Action

Date Submitted 2014-03-12 09:47:40**Applicant** PC**Quick Title** PC report from 3/11/14**Subject** Consider the report from the Planning Commission meeting held March 11, 2014.

Discussion The action items for the City Council will be to set a public hearing date for a zone change request, consider approval of 7 final plats, 1 CUP for a 22' tall gazebo in a rear yard, a small pedestrian shelter proposed by IHC near the cross-walk on Foremaster Drive, and site plan and building design approval for the proposed 78 unit resort condo project call Estancia at Green Valley located at approximately 1151 South Plantations Drive, next to the Trendwest Vacation rental complex.

Cost \$0.00

City Manager Recommendation Lots of final plats and a CUP for a gazebo. Also is a site plan approval with building design for a project in the Green Valley Las Palmas area(this project should help with the roadway similar to the requirement for the Lakes as they are accessing their project from Canyon View which is already impacted from the high density projects already in place).

Action Taken**Requested by** Bob N**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

**CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH**

PLANNING COMMISSION REPORT: MARCH 11, 2014
CITY COUNCIL MEETING: MARCH 27, 2014

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR APRIL 17, 2014**

Consider a zone change request from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to C2 (Highway Commercial) for the proposed “**Medical Dialysis**” professional building. The project contains approximately 1.86 acres and is located at approximately 650 South 1000 East. The applicant is the Coaction Group and the representative is Mr. Don Wieser. Case No. 2014-ZC-005 (Staff Ray S.)

2. **FINAL PLATS (FP)**

- A. Consider approval of a final plat for “**Estates at Hidden Valley Phase 7**” an eighteen (18) lot residential subdivision plat. The representative is Mr. Bob Hermanson, Bush & Gudgell. The property is zoned PD-R (Planned Development Residential) and is located at approximately Athens Drive and Rome Drive (Hidden Valley area at approximately 200 E 3550 S). Case No. 2013-FP-081. (Staff – Todd J.)
- B. Consider approval of a final plat for “**Estates at Hidden Valley Phase 8**” a twenty (20) lot residential subdivision plat. The representative is Mr. Bob Hermanson, Bush & Gudgell. The property is zoned PD-R (Planned Development Residential) and is located at approximately Lake Placid Drive and Rome Drive (Hidden Valley area at approximately 350 E 3535 S). Case No. 2013-FP-082. (Staff – Todd J.)
- C. Consider approval of a final plat for “**Meadow Valley Farms Phase 8**” a two (2) lot residential subdivision plat. The representative is Mr. Brad Peterson, Development Solutions. The property is zoned RE-20 (Residential Estate 20,000 square foot minimum lot size) and is located at approximately 3910 South and Bentley Road (Little valley area). Case No. 2014-FP-070. (Staff – Todd J.)
- D. Consider approval of a final plat for “**Mulberry Estates Phase 5**” a seventeen (17) lot residential subdivision plat. The representative is Mr. Roger Bundy, R&B Surveying. The property is zoned RE-20 (Residential Estate 20,000 square foot minimum lot size) lots 76 – 78 and R-1-12 (Single Family Residential 12,000 square foot minimum lot size) lots 69-75 and 79-85 and is located at approximately 3150 South and 2880 East (Little Valley area). Case No. 2014-FP-073. (Staff – Todd J.)
- E. Consider approval of a final plat for “**Sun River St George Phase 37**” a fourteen (14) lot residential subdivision plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located at approximately English Ivy Drive and White Stone drive (Sun River development at approximately 1600 West and 5170 South). Case No. 2013-FP-058. (Staff – Todd J.)

- F. Consider approval of a final plat for “**Sun River St George Phase 38**” a fourteen (14) lot residential subdivision plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located at approximately Pearl Vista and White Stone Drive (Sun River development at approximately 1430 West and 5140 South). Case No. 2013-FP-057. (Staff – Todd J.)
- G. Consider approval of a final plat for “**Sun River St George Phase 39**” an eleven (11) lot residential subdivision plat. The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located at approximately Pearl Vista Drive and Silk Berry Circle (Sun River development at approximately 1400 West and 5180 South). Case No. 2013-FP-059. (Staff – Todd J.)

3. **CONDITIONAL USE PERMIT**

Consider a request to construct a detached accessory (gazebo) structure to a height of 22 feet high. The property is located at 3394 East 2000 South. The applicant is Mr. Jared Wittwer. The representative is Mr. Austin Anderson of AJ Construction. Case No. 2014-CUP-004 (Staff – Craig H.)

4. **BUILDING DESIGN CONCEPTUAL SITE PLAN (BDCSP)**

Consider a request for a BDCSP (Building Design Conceptual Site Plan) review of a proposed seventy-eight (78) unit Estancia Resort Condominiums at Green Valley. The site is located on Plantations Drive between the Trendwest Vacation Rental development and the Cottage South development. The zoning is PD-R (Planned Development Residential). The representative is Mr. David Nasal. Case No. 2014-BDCSP-001. (staff – Bob N.)

5. **PEDESTRIAN SHELTER AT CROSSWALK**

Consider a reduced setback to allow installation of a small pedestrian shelter near the existing crosswalk at 1400 East Foremaster Drive for IHC (Intermountain Healthcare). Case No. 2014-RS-001. (Staff – Bob N.)

6. **OTHER PLANNING COMMISSION BUSINESS**

- A. A special training session was held for the three (3) newly appointed Planning Commissioners on Tuesday March 4th from 11:00 to 1:00 pm. Training materials and lunch were provided by staff.
- B. Staff invited and encouraged attendance at the 2014 UTAPA (Utah American Planning Association) Spring Conference to be held in Springdale Utah on April 3rd & 4th. The Friday session of the conference will have courses specifically for appointed City officials. Interested commissioners may contact Craig Harvey to discuss details and for registration assistance. Information attached to agenda.

- C. The request to hear a preliminary plat for **"Tuscan Hills Phase 5"** a twenty-eight (28) lot residential subdivision was **removed from the agenda**; pending submittal of additional information regarding project amenities, and required open space (common area) dedication. The applicant is Updwell Development, LLC and the representative is Mr. Todd Gardner with Alpha Engineering. The property is zoned PD-R (Planned Development Residential) and is located near the intersection of Plantations Drive and Dixie Drive. Case No. 2014-PP-014 (Staff – Wes J.).
- D. The request for a zone change request from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) for **"Boulder Creek Commons"** and **"Boulder Creek Crossings"** was **continued** to a future meeting to allow the applicant time to provide additional information on traffic issues and related items. **Only a brief status report was presented by staff and the developer.** The project site contains approximately 30.05 acres of land and is located in the vicinity of the intersection of River Road and 1450 South. The applicant is Shefco and the representative is Rosenberg Associates. Case No. 2014-ZC-001 (Staff – Bob N.).
- E. The Planning commission considered and made a motion to approve a zone change request from RE-20 (Residential Estates 20,000 sq. ft. minimum lot size) to R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) on a 4.409 acre parcel, but **the motion failed (3:1)** due to a minimum quorum of four (4) commissioners; as a result the zone change is **continued until the next PC meeting (March 25th)** to entertain another motion and to give the applicant an opportunity to revisit the issues and concerns of the commission. The property is generally located southwest of the intersection of Crimson Ridge Drive and Little Valley Road and west of Sun Valley Estates subdivision. The project will be known as **"Crimson Cove."** The applicant is Bar S Properties. The representative is Mr. Zach Renstrom with Bush & Gudgell. Case No. 2014-ZC-004 (Staff – Craig H.).

PCR ITEM 2A

Final Plat

PLANNING COMMISSION AGENDA REPORT: 03/11/2014
CITY COUNCIL MEETING: 03/27/2014

FINAL PLAT

Estates at Hidden Valley Phase 7

Case No. 2013-FP-081

Request: Approval of a 18 Lot Residential Subdivision Final Plat

Representative: Bob Hermandson, Bush and Guggell
205 E. Tabernacle St., Suite 4
St. George, UT 84770

Property: Located at Athens Drive and Rome Drive (Hidden Valley area, at approximately 200 East and 3550 South)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 2B

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING

03/11/2014
03/27/2014

FINAL PLAT

Estates at Hidden Valley Phase 8

Case No. 2013-FP-082

Request: Approval of a 20 Lot Residential Subdivision Final Plat

Representative: Bob Hermandson, Bush and Gudgell
205 E. Tabernacle St., Suite 4
St. George, UT 84770

Property: Located at Lake Placid Drive and Rome Drive (Hidden Valley area, at approximately 350 East and 3535 South)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

[illegible]

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PCR ITEM 2C

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING

03/11/2014
03/27/2014

FINAL PLAT

Meadow Valley Farms Phase 8
Case No. 2013-FP-070

Request: Approval of a 2 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
113 East 200 North, Suite #2
St. George, UT 84770

Property: Located at 3910 South and Bentley Road (Little Valley area)

Zone: RE-20

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 2D

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING

03/11/2014
03/27/2014

FINAL PLAT

Mulberry Estates Phase 5
Case No. 2013-FP-073

Request: Approval of a 17 Lot Residential Subdivision Final Plat

Representative: Roger Bundy, R&B Surveying
257 Prickley Pear Drive
Washington, UT 84780

Property: Located at 3150 South and 2880 East (Little Valley area)

Zone: RE-20 (Lots 76-78)
R-1-12 (Lots 69-75 and 79-85)

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

PCR ITEM 2E

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING

03/11/2014
03/27/2014

FINAL PLAT

Sun River St. George Phase 37
Case No. 2013-FP-058

Request: Approval of a 14 Lot Residential Subdivision Final Plat

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

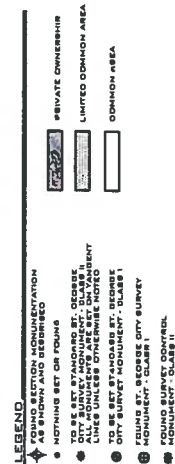
Property: Located at English Ivy Drive and White Stone Drive (Sun River development, at approximately 1600 West and 5170 South)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.





(A 14 UNIT PLANNED UNIT DEVELOPMENT)
LOCATED IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN
CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.

SHEET 2 OF 2



ROSENBERG
ASSOCIATES

CIVIL ENGINEERS • LAND SURVEYORS
352 EAST RIVERSIDE DRIVE, SUITE A-2,
ST. GEORGE, UTAH 84790
PH 435 673-8586 WWW.SAGVIL.COM

ST. GEORGE, UTAH 84790
PH 14351 673-8586 WWW.SAGONY.COM

2. DATE	8/30/2013	P.F.A.
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NO.	DATE	BY	REMARKS
1	10/10/10	10/10/10	10/10/10
2	10/10/10	10/10/10	10/10/10
3	10/10/10	10/10/10	10/10/10
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71	10/10/10	10/10/10	10/10/10

DATE:	06-11-98	CHECKED:	
BY:		WJB	

PCR ITEM 2F

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING

03/11/2014
03/27/2014

FINAL PLAT

Sun River St. George Phase 38
Case No. 2013-FP-057

Request: Approval of a 14 Lot Residential Subdivision Final Plat

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at Pearl Vista Drive and White Stone Drive (Sun River development, at approximately 1430 West and 5140 South)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

[illegible][illegible][illegible][illegible]

PCR ITEM 2G

Final Plat

PLANNING COMMISSION AGENDA REPORT: 03/11/2014
CITY COUNCIL MEETING 03/27/2014

FINAL PLAT

Sun River St. George Phase 39

Case No. 2013-FP-059

Request: Approval of a 11 Lot Residential Subdivision Final Plat

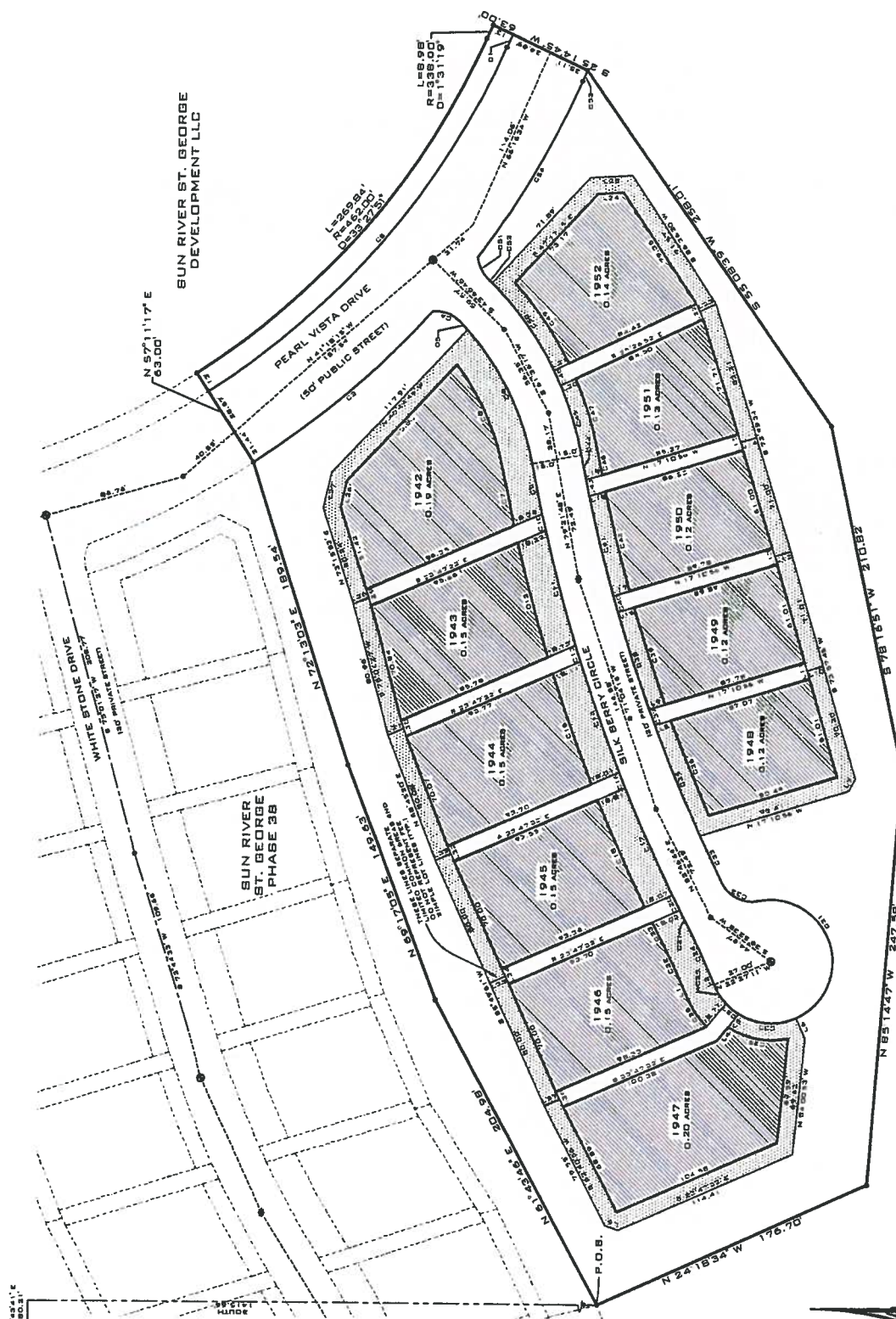
Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at Pearl Vista Drive and Silk Berry Circle (Sun River development, at approximately 1400 West and 5180 South)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.



SUN RIVER ST. GEORGE
DEVELOPMENT LLC

SUN RIVER
ST. GEORGE PHASE 39

(A 11 UNIT PLANNED UNIT DEVELOPMENT)
LOCATED IN SECTION 26, TOWNSHIP 43 SOUTH, RANGE 16 WEST
SALT LAKE BASE AND MERIDIAN
CITY OF ST. GEORGE, WASHINGTON COUNTY, UTAH.

SHEET 2 OF 2

BASIS OF BEARING
N 88°50'45" W 2645.97 MEASURED GROUND
(MCN N 88°50'45" W 2645.70 GRID DIST)
(N 88°50'45" W 2645.93 GROUND)

NORTH N. CORNER
SECTION 27
T33S R16W S18E4M
BLM TRASS CAP 1671
MON # 231
(REF. NO. 22-43-1B)

LEGEND

◆ FOUND SECTION MONUMENTATION AS SHOWN AND DESCRIBED

● NOTHING SET OR FOUND

⊙ TO BE SET AVANDARO ST. GEORGE CITY SURVEY MONUMENT - CLASS II (ALL MONUMENTS SET ON TIES UNLESS OTHERWISE NOTED)

⊙ TO BE SET AVANDARO ST. GEORGE CITY SURVEY MONUMENT - CLASS I

⊙ FOUND ST. GEORGE CITY SURVEY MONUMENT - CLASS I

⊙ FOUND SURVEY CONTROL MONUMENT - CLASS II



ROSENBERG
A S S O C I A T E S
CIVIL ENGINEERS AND SURVIVORS
352 EAST 9TH AVENUE #42,
SALT LAKE CITY, UTAH 84103
PH 143-673-8585 WWW.RACVL.COM

PLAT P36-LWB **E/10M12**
P/L NUMBER: **DATE:**

B.E.A.	B.E.A.
G.DRAWN:	G.DRAWN:
B.E.A.	B.E.A.
CHECKED:	CHECKED:
JOB NO. 307	JOB NO. 307

PCR ITEM 3

CUP / Accessory Building Height

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING:

03/11/2014
03/27/2014

CONDITIONAL USE PERMIT Case No. 2014-CUP-004

Request: To construct a detached accessory (gazebo) building. The height will exceed the allowable building height of fifteen feet (15'), unless a conditional use permit is granted for a greater height.

Property: The subject residence is at 3394 East 2000 S South.

Applicant: Mr. Jared Wittwer
3394 East 2000 South
St. George, Utah 84790

Zoning: A-1 (Agricultural)

Ordinance: The Title 10, Chapter 14 "Height Requirements; Exceptions" Section 10-14-13(A) reads: *"Additional Height Allowed: Buildings and structures...may be erected to a height greater than the height...subject to conditional use recommendation by the planning commission and approval by the city council"*
&

Section 10-14-13(D) reads: *"Maximum Height Of Accessory Building: No building which is accessory to a one-family, two-family, three-family or four-family dwelling shall be erected to a height greater than one story or fifteen feet (15')."*

This structure will be ± twenty-two feet (22') in height, thus necessitating the purpose of this conditional use permit request as permitted by section 10-14-13(A).

Adj. Land: Single-family residences

Staff Comments:

1. The proposed structure will be located in the rear yard approximately seventy feet (70') from the main dwelling and sixty-two feet (62') from the rear property line and fifty feet (50') from the side property line.
2. The detached structure will be used primarily as a gazebo.
3. The proposed height is due to matching the main dwelling's roof pitch.
4. The proposed structure will not encroach onto any City easements.
5. The detached structure will have the same finishes as the existing home and similar colors. There will be a small enclosed storage area in the gazebo.
6. Staff recommends approval.

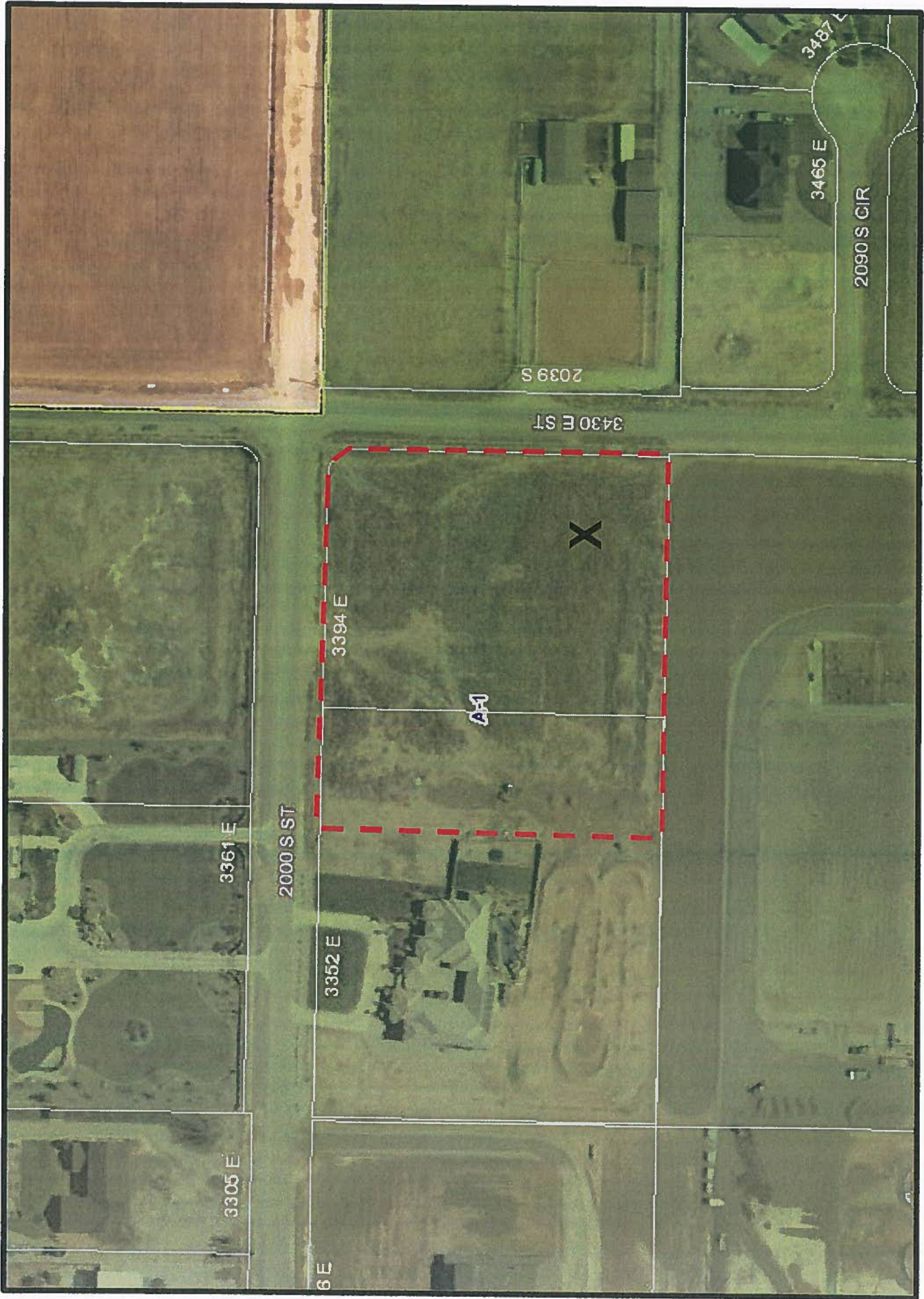
P.C.: The Planning Commission recommends approval with suggested conditions and findings:

1. The proposed structure will be located in the rear yard approximately seventy feet (70') from the main dwelling and sixty-two feet (62') from the rear property line and fifty feet (50') from the side property line;
2. the detached structure will be used primarily as a gazebo;
3. The proposed height (22 ft. +/-) is allowed and will match the main dwelling's roof pitch.
4. The proposed structure will not encroach onto any City easements.
5. The detached structure will have the same finishes as the existing home and similar colors.
6. There will be a small enclosed storage area in the gazebo.
7. The findings (A thru K - see below).

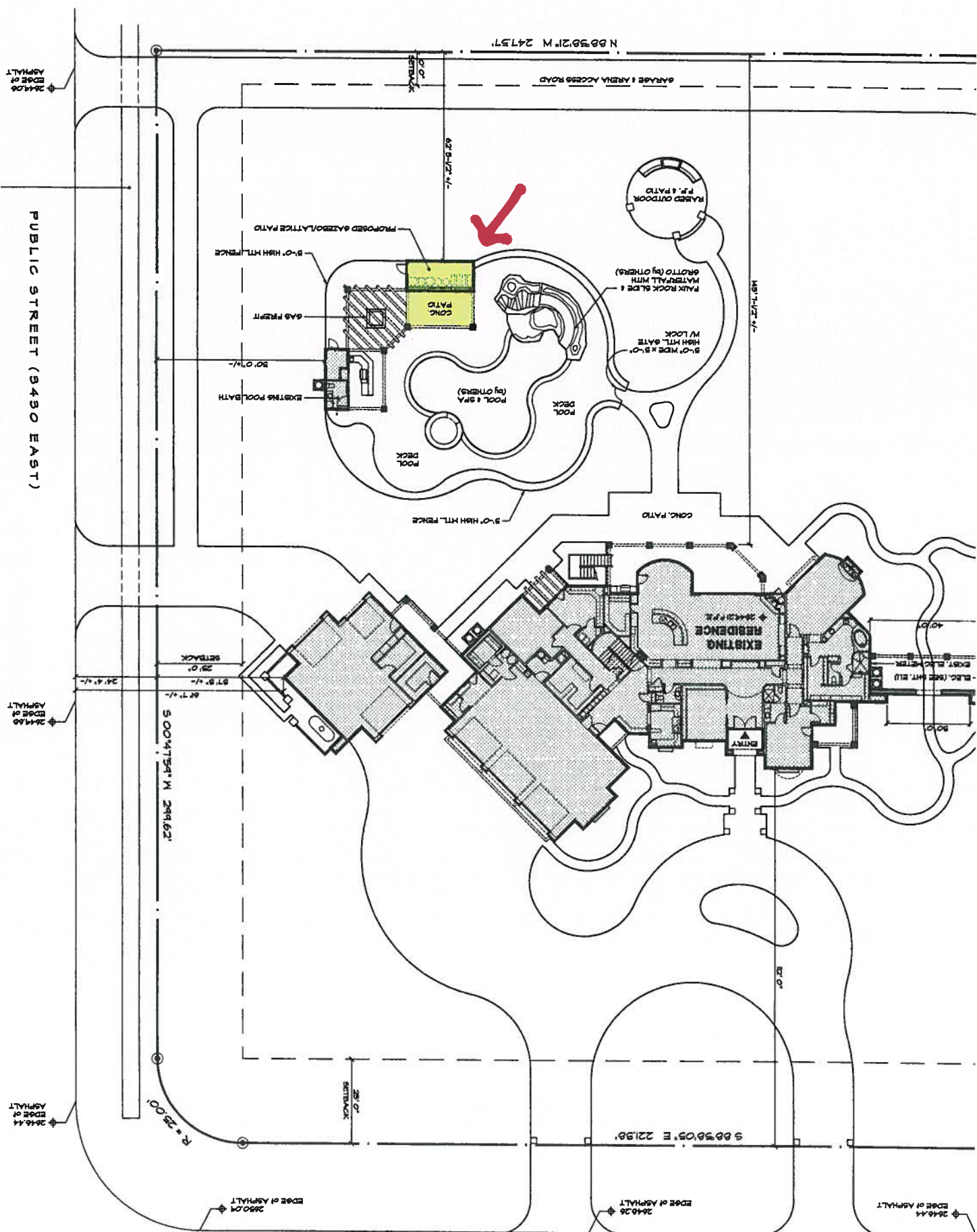
Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

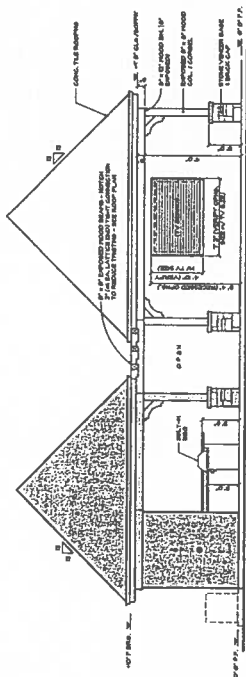
Yes	N/A	Category	Description
	N/A	A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
	N/A	B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.
	N/A	C. Odors	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
The gazebo will have the same finish materials as the existing home.		D. Aesthetics	1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
	N/A	E. Safety	1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.

	N/A	F. Traffic	<p>1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D".</p> <p>2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.</p>
The gazebo will be approximately 22' feet in height.		G. Height	<p>1. Buildings shall fit into the overall context of the surrounding area.</p> <p>2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.</p>
	N/A	H. Hours of Operation	<p>1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.</p>
	N/A	I. Saturation / Spacing	<p>1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.</p>
A gazebo is within the existing character of the zone.		J. Maintain Character and purpose of zone	<p>1. Uses shall be consistent with the character and purpose of the zone within which they are located.</p>
	N/A	K. Public Health	<p>1. Use shall comply with all sanitation and solid waste disposal codes.</p> <p>2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)</p>

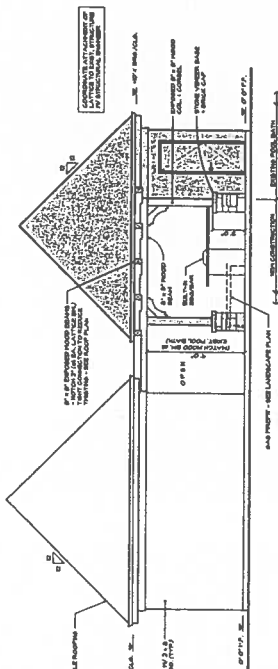


Vicinity & Zoning Map

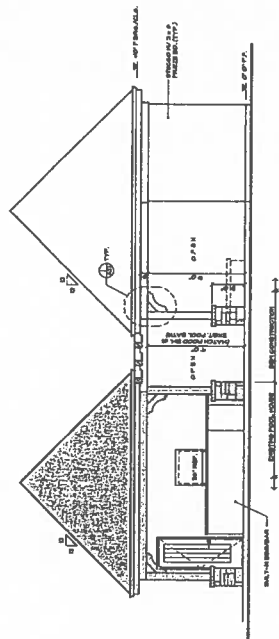




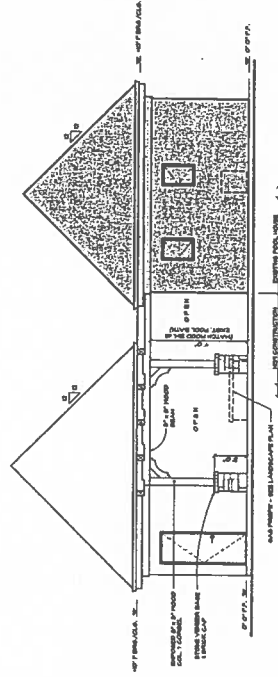
GAZEBO/LATTICE PATIO ~ FRONT (NORTH) ELEV.



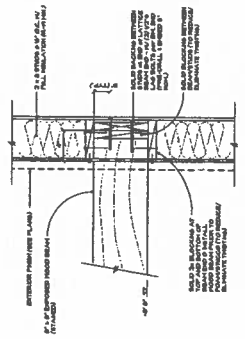
GAZEBO/LATTICE PATIO - REAR (SOUTH) ELEV.



SAZEBO/LATTICE PATIO ~ RIGHT SIDE (WEST) ELEV.

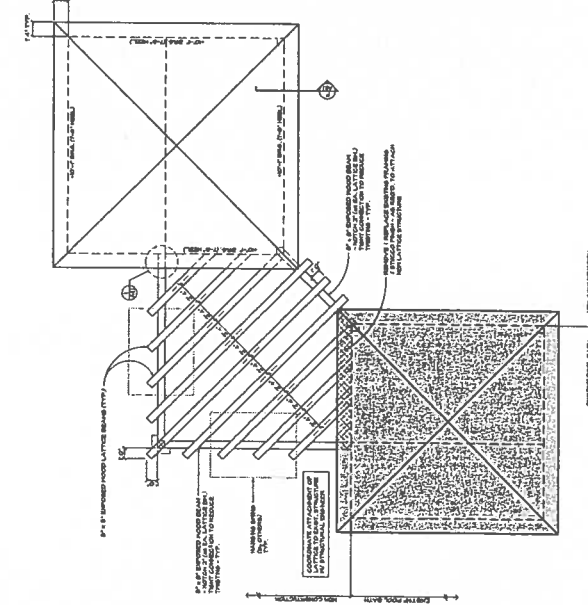


SAZEBON/LATTICE PATIO - LEFT SIDE (EAST) ELEV.

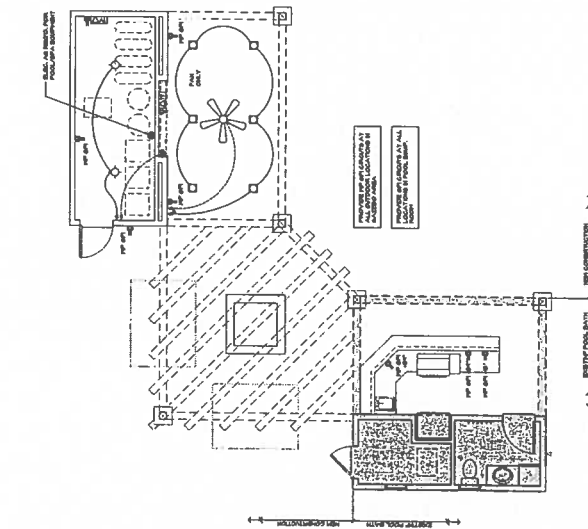


① TYPICAL WOOD LATTICE/SOLID BACKING DETAIL
NOT TO SCALE

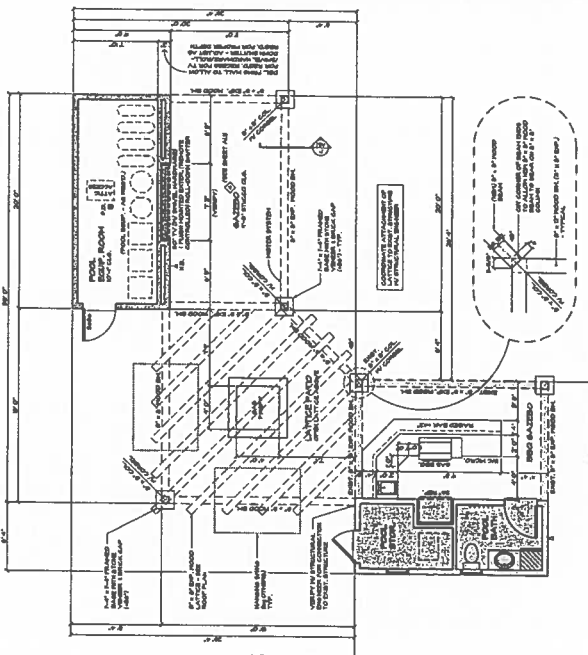
CONTRACTOR SHALL VERIFY ALL CONDITIONS AND SPECIFICATIONS ON THIS AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES, OMISSIONS, OR INADEQUACIES AND REPORT PROBLEMS ON PRACTICALITY BEFORE ANY WORK BEGINS. ALL WORK TO BE PERFORMED PER U.S. GOVERNMENT AND ALL APPLICABLE LOCAL, STATE, FEDERAL, AND



SAZEBO/LATTICE PATIO - ROOF PLAN



GAZEBO/LATTICE PATIO - ELECTRICAL SCHEMATIC PLAN
SCALE: 1/4"=1'-0"



GAZEBO/LATTICE PATIO - FLOOR PLAN

SALES/RENTAL, DESK. _____ 409 S.W. 17, COVERED AREA
LATE/RENTAL, DESK. _____ 409 S.W. 17, COVERED AREA

SEE SITE PLAN FOR LOCATION/VEHICLE FROM HOUSE

PCR ITEM 4

Estancia Resort Condos

PLANNING COMMISSION AGENDA REPORT: 03/11/2014
CITY COUNCIL MEETING 03/27/2014

Estancia Condominiums at Green Valley
2014-BDCSP-001 (Design Review & Approval)

Request: Site plan and building design approval for the proposed 78 unit Estancia Resort Condominiums at Green Valley at approximately 1151 South Plantations Drive.

Project Name: Estancia Resort

Owner / Developer: David Nasal, representing Capital 5 LLC

Representative: David Nasal

Zone: PD-RES (Planned Development Residential)

General Plan: HDR (High Density Residential) 10-22 du/acre

Narrative (PD Text): The applicant has provided a narrative (see attached).

Location: Located on Plantations Drive between the Trendwest Vacation Rental development and the Cottages South development (approximately 1151 South).

Acreage: 5.7 acres

Building Area: There are four proposed buildings, each 3-stories tall w/ minor 4-story section in middle, with 78 total units. Total building coverage is 1.24 acres, or 21.7% of the site.

Ordinance: "Planned Development Zone" Section 10-8-3(C) requires the submittal of a colored site development plan, a written text, and colored elevations.

Setbacks (Required): (measured from PL) Front = 25 ft., Side = 10 ft. Street side = 25 ft., and rear = 10 ft.

Height: The center portion of the building has four floors (51'10"), but the majority of the building is three-stories with a height up to 40'. The variation in roof line provides architectural interest while most of the building is only 3-stories, consistent with Trendwest Resort to the south.

- Materials:** The exterior building materials consist of tile roofs, textured stucco walls, with stone accents on columns.
- Parking:** 182 parking spaces are required, and provided as per site plan. Parking is calculated at 2 parking spaces/unit + 1 space per 3 units for guest parking.
- Landscape & Recreation Area:** Landscape coverage is 2.2 acres which equals 38% of site. A minimum of 30% landscaping is required per zoning code. As part of the overall landscape area a recreation area equal to 200 sq ft per unit is required. That minimum amount for a 78 unit project is 15,600 sq ft (78 units X 200 sq ft/unit). The projects interior courtyard is 26,208 sq ft and consists of lawn, pool, playground equipment, and hardscape.
- Lighting:** The site shall be designed to be “dark sky” friendly and avoid any light pollution to neighbors.
- Comments:** The site plan meets the requirements of the PD-Residential zone, including parking, and landscaping. The proposed buildings have front and rear balconies which provide depth and interest to the building. Some additional exterior stone, that is, more stone accents on front and rear facades would provide more building appeal and interest (in staff’s opinion).
- P.C.:** The Planning Commission recommends approval.

Estancia Resort Narrative

Summary:

Estancia Resort will be a vacation condo project on 5.70 acres next to Green Valley Spa & Resort and Trendwest by Wyndham. Green Valley is the nightly rental Mecca of Southern Utah and Estancia will be the first new project in that area since 2007. The units will be sold to individuals and it is anticipated that 90% will either be second homes or investments that will be placed in a short term rental pool. Estancia will have a large, private courtyard with a resort pool, hot tub, bbq grills, open green space, and a playground. Owners will also have access to the many amenities located at the Green Valley Spa and Resort. There will be a mix of 2, 3 and 4 bedroom units which will blend in with the architecture and landscape already in place in the vicinity.

Section 10-8-4

A. Use of Land:

Total Site- 5.70 acres

Building Coverage- 1.24 acres = 21.75%

Parking Coverage- 2.26 acre = 39.65% (182 stalls)

Landscape Coverage- 2.20 acres 38.60%

B. Height and Elevations: Maximum height is 51'10" and 40' on the flanking wings. See Attached Elevations.

C. Density: 13.68 units/acre (78 units on 5.70 acres)

D. No schools or churches. Open space is located in the courtyard in the middle of the buildings.

E. Phasing Plan- Bldg A (26 units) will be built first. Bldg B (12 units) will be built second. Bldg C (12 units) will be built third. Bldg D (26 units) will be built fourth. See Phasing Plan.

F. Topography: See attached Site Plan.

G. Landscape Plan: See attached Landscape Plan

H. Area reserved for landscaping: 2.20 acres (39.65% of land)

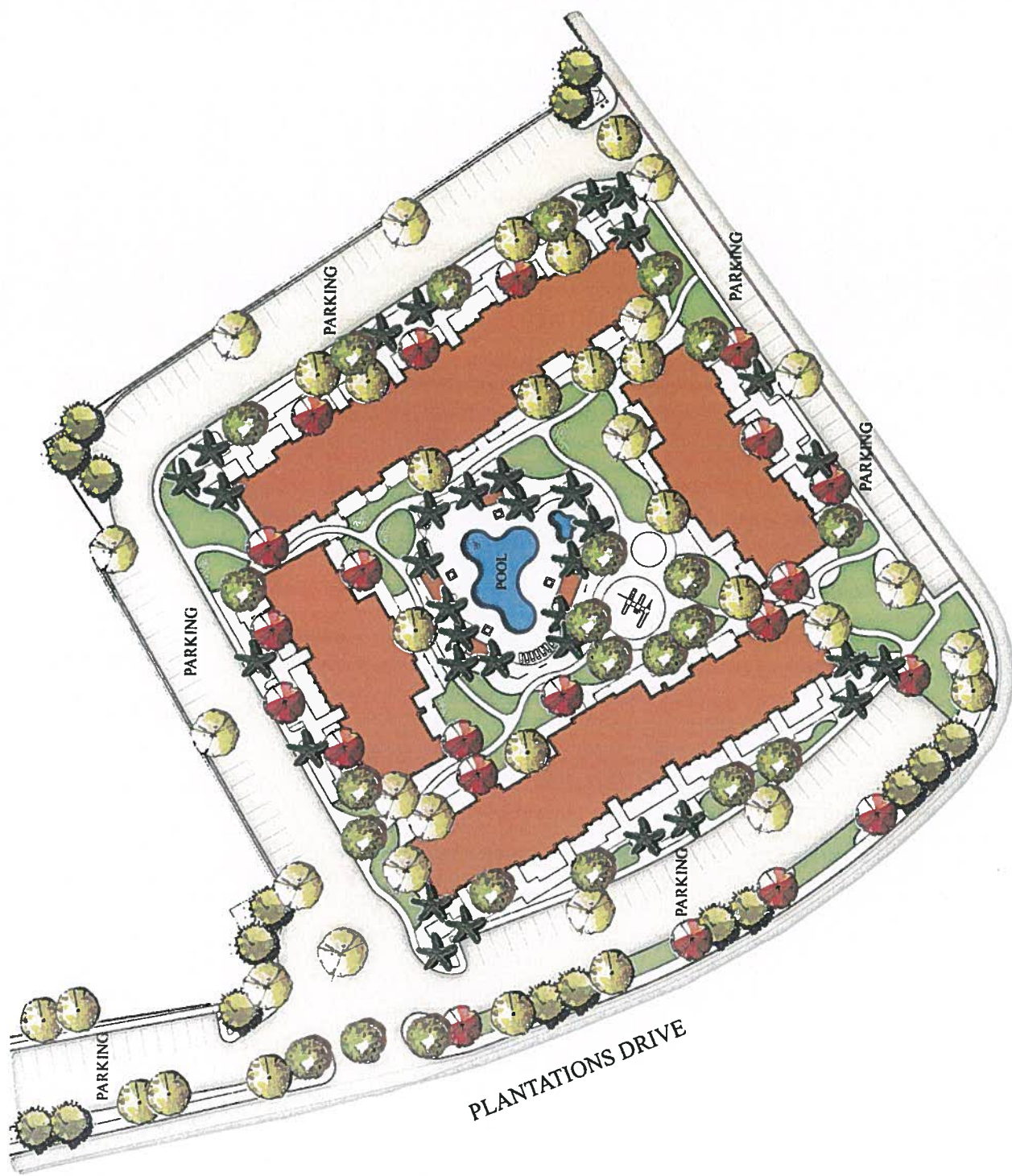
I. Utilities: All utilities shall be underground. Transformer equipment shall be screened from streets and adjacent properties.

J. Refuse Storage Areas: Dumpsters are located behind a solid screen and metal gates.

K. Lighting Plan: The plans submitted shall include a general lighting plan indicating the location of lights to be installed on the site.

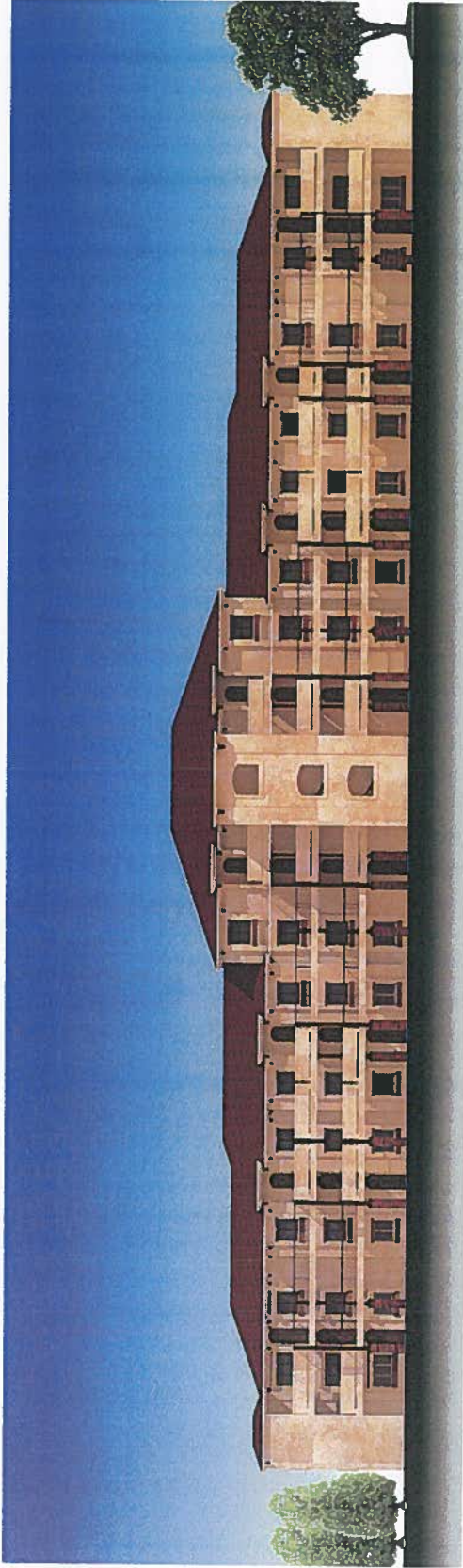
L. Turning Space: Safe and convenient turning spaces shall be provided for cars, sewer vehicles, refuse collection, firefighting equipments, etc at the end of private drives and dead end streets.

M. Signs: Signage will conform to code and be development quality. It remains to be designed and submitted.

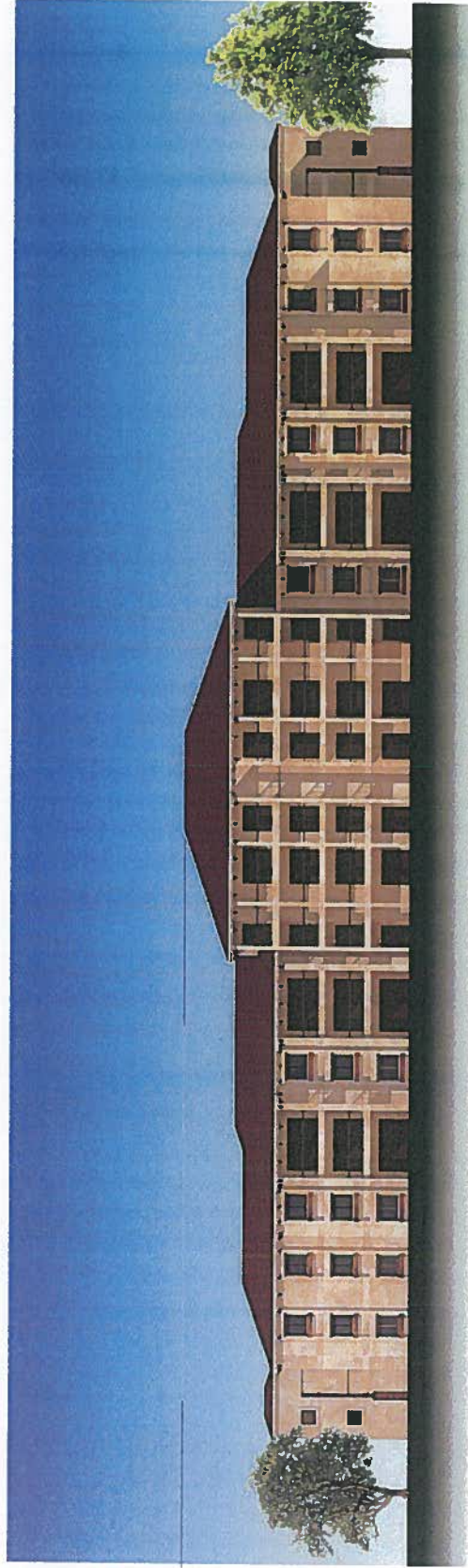


ESTANCIA DEVELOPMENT CONCEPTUAL LANDSCAPE PLAN

N.T.S.



FRONT ELEVATION



REAR ELEVATION

THE GENERAL CONTRACTOR RESERVES THE RIGHT TO INCORPORATE ANY UNANTICIPATED CHANGES OR IMPROVEMENTS IN THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

BY: [Signature]

MARK L. NEILSON - ARCHITECT
P.O. BOX 2624 MESA, NEVADA 89024 (702) 497-7811

West Building

ESTANCIA RESORT
NEW MULTI-RESIDENCES FOR
GREEN VALLEY
ST. GEORGE, UTAH

DATE: 11/11/11
BY: [Signature]

A3



PCR ITEM 5

IHC X-Walk Shelter

PLANNING COMMISSION AGENDA REPORT: 03/11/2014
CITY COUNCIL MEETING: 03/27/2013

REDUCED SETBACK – IHC – PEDESTRIAN SHELTER ON FOREMASTER DRIVE
Case No. 2014-RS-001

Overview: Dixie Regional Medical Center proposes to install a small pedestrian shelter near the existing crosswalk on Foremaster Drive at about 1400 East. The shelter is about the size of the public bus shelters that are in place around town, and will serve to protect pedestrians from rain, heat, or cold while waiting to cross Foremaster Drive. The zoning code for public transit shelters allows them to be located within the setback area, subject to approval by the PC, City Council, and the property owner. (see Zoning code below)

Ordinance: 10-14-9: YARDS UNOBSTRUCTED; EXCEPTIONS:

- D. Public Transit Shelters: Public transit shelters, with or without public restrooms, may be located within a setback area adjacent to a public street, subject to approval by the planning commission, city council and property owner.

Zoning: The hospital property is zoned PD-C (Planned Development Commercial)

Comments: Staff supports the proposed pedestrian shelter as proposed by IHC. The shelter will be located approximately six feet (6') feet behind the sidewalk and located on the north side of Foremaster Drive (see attached aerial photo with shelter location).

IHC says the pedestrian shelter in this location will be temporary (6 months to 2 years +/-) until an underground walkway can be built under Foremaster Drive.

P.C.: The Planning Commission recommends approval.

Shelter Reasoning

After having two employees hit by cars while using the crosswalk on Foremaster Drive, Terri Kane, CEO for Dixie Regional Medical Center (DRMC) decided that something in addition to the crosswalk had to be done to protect staff crossing Foremaster Road. A team was assembled and options were proposed. Several quick and easy to implement ideas were adopted and completed within days of the second accident. Other ideas were implemented within months and a long-term solution was decided upon.

After deciding that a Security Officer would be stationed at the crosswalk, it became apparent that a solution to help keep them out of the elements would be needed. In another location on our property we are already using a shelter which could work. We ordered another shelter; however, while getting a bid for the cement work, we were informed that there may be a setback regulation that would prohibit us installing it. Hence, this proposal for allowing it to be installed is being presented to the Planning Commission.

Additionally, we found out that the existing culvert under Foremaster Drive was determined by UDOT to be in need of replacing and that the Trail System is planned to continue across Foremaster Drive. All three entities' needs are in alignment and if done in conjunction would be more cost effective. DRMC was told that the culvert replacement was not included in the current budget and that the trail system extension was several years down the line.

Our CEO is very committed to keeping her employees safe while at work. She has submitted a proposal to St. George City to pay for the tunnel portion of the project and provide additional funds towards the culvert replacement if the city agrees to do the project in 2014.

This shelter will only be temporary. Once the culvert/tunnel is completed, DRMC will have the crosswalk, signage and shelter removed.

Red Flags for pedestrians to carry	Implemented by Intermountain
Warning sign for pedestrians	Installed both sides of street by Intermountain
Sounds bumps	Installed by SGC, paid for by Intermountain
Mobile traffic speed radar unit	Placed more frequently by SGC
Security Officer stationed on Intermountain property to remind those crossing to observe all safety items provided	Implemented by Intermountain
Traffic count done 9/2013	Done by SGC Police
Sky bridge	Determined not cost effective and would not be regularly utilized
Eliminate crosswalk	Determined that without other viable option, people would still cross the street anyway
Tunnel by existing culvert	Determined this was the most viable long-term solution





DRAFTAgenda Item Number : **6D**

Request For Council Action

Date Submitted 2014-03-12 09:56:45**Applicant** Mr. Jared Wittwer**Quick Title** CUP for 22' tall gazebo**Subject** Consider a request for a conditional use permit to construct a gazebo structure up to 22' tall in the rear yard of the residence located at 3394 E. 2000 South Street.**Discussion** The property is in the Washington Fields area and is zoned A-1. The 22' tall gazebo will be located in the rear yard of the large lot. A CUP is required for detached accessory structures over 15' tall. The PC unanimously recommends approval.**Cost** \$0.00**City Manager Recommendation** PC recommends approval as the gazebo is to be located at the rear of the lot.**Action Taken****Requested by** Craig Harvery (BN)**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
JANUARY 30, 2014, 4:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Almquist and the invocation was offered by Tim Martin.

Mayor Pike welcomed newly appointed Councilmember Arial.

Councilmember Randall mentioned the Local Officials Day at the Legislature in which all Councilmembers and Mayor attended yesterday.

Mayor Pike stated he would like to have item 6E be heard first.

APPOINTMENTS:

Mayor Pike asked the Council for a motion to appoint a Mayor Pro Tem.

MOTION: A motion was made by Councilmember Hughes to appoint Councilmember Almquist as Mayor Pro Tem.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Mayor Pike advised that he has met with three of the esteemed Planning Commission members whose terms have expired. He feels it is a good opportunity to thank them and give new members the chance to serve. He would like to appoint Diane Adams, Don Buehner and Todd Staheli to serve on the Planning Commission to replace Ron Bracken, Ron Read and Kim Campbell, to be effective March 1, 2014. Additionally, he would like to appoint Doug Solstad to replace Gloria Shakespeare on the St. George Housing Authority board since she and her husband are on an LDS mission.

City Attorney Shawn Guzman advised the terms of the appointments will need to be specified and that they need to be staggered. This will be clarified at a later date to be made part of the record.

MOTION: A motion was made by Councilmember Almquist to approve the appointments made by Mayor Pike.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye

Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Mayor Pike advised that he would like to appoint Brooke Smith, Judith Mayfield, Annette Hansen, Rene Fleming and Miriam Palma for Deputy City Recorders.

MOTION: A motion was made by Councilmember Randall to approve all of them as Deputy City Recorders.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Mayor Pike advised he would like to try a few things. Starting February 6, 2014, regular meetings which are held on the 1st and 3rd Thursdays, will begin at 5:00 p.m. rather than 4:00 p.m. to give the public more of an opportunity to participate. Work meetings, which are held on the 2nd and 4th Thursdays will continue to start at 4:00 p.m.

Councilmember Bowcutt stated that this time change is just a trial. As long as it is successful, the meetings will stay at 5:00.

Mayor Pike advised that rather than having a public forum on the 5th Wednesday he would like to try having 15 minutes at the beginning of the first regular meeting of each month to allow for open comments from the public. There will be forms to fill out for those who wish to have their comments heard. There are 3 rules that will apply: 1) they need to be a resident of the city of St. George; 2) comments will be done in a very respectful manner; and 3) if there are pending matters, the items will not be discussed if the other party is not allowed to represent themselves. Comments from the public will be included on the agenda for the 1st Thursday of each month. Additionally, work meeting agendas will now include an item in which Councilmembers can discuss their committee and board items.

City Manager Gary Esplin advised that the request for a conditional use permit to allow for a garage height was not added to agenda will be heard next week.

FINANCIAL REPORT:

Consider approval of the financial report for December, 2013.

City Manager Gary Esplin advised the financial report appears to be looking well, especially in the General Fund. The latest sales tax numbers are up while most of the state saw decreases. With the snow, golf courses could face issues as well as the increase cost of power for the Power Department.

Councilmember Almquist inquired, with regard to the Dixie Center, about the revenues versus expenditures.

City Manager Gary Esplin explained that the revenues are not shown since they are being generated, rather, the report shows the 1% room tax that the City receives. There are some costs that the City is reimbursed for.

MOTION: A motion was made by Councilmember Arial to approve the financial report.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to JMI Constructors for a new neighborhood park in Little Valley.

City Manager Gary Esplin advised the bid is for Silkwood Park in the Little Valley area. The proposal with the developer was to take the private park and expand it into a larger park. The City would take over the operation and maintenance. This bid is to construct the park which is included in this year's budget.

Purchasing Manager Connie Hood advised the bid is for Silkwook Park. JMI Constructors was the low bid at \$385,301.22 which is below the engineer's estimate.

Councilmember Almquist inquired if the bid is quite a bit lower than another one, how does staff ensure that something is not missing.

Ms. Hood replied that there is an itemized bid list that is reviewed by the project engineer and the group that puts the summary together. JMI is a local contractor.

MOTION: A motion was made by Councilmember Almquist to approve the bid award to JMI Constructors for \$385,301.22 for Silkwood Park in the Little Valley area.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

DESIGN AND ENGINEERING CONTRACT:

Consider approval to hire an architect and engineer for the design and engineering of the Electric Theater restoration/renovation project.

City Manager Gary Esplin advised that this item is in the current budget. If approved, this will allow for a contract with Kim Campbell and Ron Larsen for the design and engineering. When the FY14 budget was approved, Council authorized approximately \$300,000.00 to stabilize the theater and to design the two adjacent buildings. This particular contract is for the stabilization of the theater with a cost of \$154,938.00

Councilmember Arial inquired about what type of project is this.

City Manager Gary Esplin advised the theater was built in the early 1900's or late 1800's and is part of the downtown revitalization to protect historic preservation and economic development. The theater will provide a place for the art groups and is a form of economic development. When the consultant was hired to look if a major theater was needed downtown, it was suggested that as part of downtown it should have an arts district.

Councilmember Hughes stated that he was reluctant on this issue initially. This project was not on his top priority list. Now, he can see the wisdom in having the facility. It is a historic preservation project and it is going to benefit the downtown area.

MOTION: A motion was made by Councilmember Hughes to approve the contract for design and engineering of the Electric Theater with Kim Campbell and Ron Larsen for \$154,938.00.

SECOND: The motion was seconded by Councilmember Almquist.

Councilmember Almquist stated that the Council will receive options on what can happen with the buildings. Previously, there was a presentation on how the buildings can be used.

Leisure Services Director Kent Perkins advised that there have been focus groups and a number of individuals came in to have their input included. The intent was to meet with the architect and review the report based on the needs of the community.

City Manager Gary Esplin advised with regard to the structure itself, there are only a couple of options. He explained that the options are either preserving all of the existing buildings or preserve only the theater and tear down the other two buildings and redoing the frontage as it was historically. The outside of the building will be restored similar to what it was in 1911. The inside restoration will need to be decided.

Councilmember Arial stated she believes this is a fabulous idea. It makes sense to have things up to date for the arts.

Mayor Pike stated that it was a movie theater, however, the hope is to use the building for other things.

Mr. Perkins advised there has been a lot of research done over the past few weeks as well as discussions with some of the folks that were originally involved when the theater was built.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PROFESSIONAL SERVICES AGREEMENT:

Consider approval of a professional services agreement with CRSA for the Master Plan site review for Fleet.

Support Services Manager Marc Mortensen advised the agreement is with CRSA to Master Plan the Fleet facility. The department is growing quickly with the services that they provide. The current budget includes new refueling tank and pumps, however, due to possible future expansion, staff is not sure if the original location is the right place to put them. This contract is for CRSA to review the future needs of Fleet including mass transit. Some of the funds set aside for the tanks will be used for this agreement.

MOTION: A motion was made by Councilmember Randall to approve the professional services agreement with CRSA for a site review for Fleet in the amount of not to exceed \$26,000.00

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

INCREASE ENERGY SERVICES RATE SCHEDULE/RESOLUTION:

Consider approval of a resolution increasing the Energy Services rate schedule.

City Manager Gary Esplin advised this item is a recommendation to increase the electric fees. Last year, there were discussions with the Council explaining the problems with regard to the increased cost of power, which the City has no control over. When the budget was approved in July, it was known that there would be a 4% increase in the cost of power from Deseret Generation and Transmission. That increase is a fixed increase built in until the year 2019. The City has seen an 11.5% increase since July 1, 2013 in cost of power and transmission. Operating costs have gone down over the past couple of years. He explained that the Council recently approved the refunding of bonds that were issued for the gas turbine project. When bonds are issued, you make covenants to maintain rates to cover the payments for the bonds. Normally, there needs to be a 1-1 coverage if impact fees are not included. Revenues have to be 125% more than operating expenses. If the rates are not increased, the City might not be able to meet its rate covenants agreed to in the bond issuance, which affects the bond rating. Raising the rates 7% across the board will put the City back to where it should be on July 1, at the end of the current fiscal year. He mentioned that in comparison, if the rate increase is approved, the City's average cost for residents is .0956, Dixie Escalante is .0688, Washington City is .097, Santa Clara is .099, Provo is .113, Bountiful is .1073, Logan is .163, Springville is .1173, Lehi is .0968, Murray is .1034, Rocky Mountain Power is .1327, and Hurricane is .0872. Other than Dixie Escalante, the City of St. George rates are one the lowest. The proposed increase will be 7% across the board to be effective immediately.

Councilmember Almquist stated that City Manager Gary Esplin is pointing out that this is out of the City's control. The City is forced to pass the increase through to the consumer. Based on his research there is more to come.

Councilmember Hughes stated this is a hard thing to do. It's not the City operational costs that are increasing, it is the cost of power and transmission of that power that has increased.

MOTION: A motion was made by Councilmember Hughes to approve the resolution to increase the power rates across the board by 7% effective immediately.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider approval of an amendment to the City Zoning Regulations, section 10-10-5:K to modify the requirements for mixed use projects in the C-4 zone.

City Manager Gary Esplin advised the Mayor opened the public hearing last meeting, however, the Ordinance is not quite ready. There are two issues with regards to the mix of commercial and residential, can it be staggered and what is the standard for required landscape.

Bob Nicholson stated this remains a work in progress. He stated this started by trying to add flexibility to the ordinance which states that the ground floor of all buildings shall have commercial use. Staff started adding in some flexibility for developers to look at other options. The proposed language states the requirement that the ground floor be limited to only to commercial use may be altered to allow residential use if the following conditions are met: The view of the ground floor is obstructed from the public street by the buildings location in the interior of the project or its obstruction from street view by other buildings

in the project; A minimum of 50% of the ground floor area of the project shall be for commercial uses. The commercial floor area above the ground floor may be used to satisfy this 50% requirement; and for buildings that are perpendicular to the street so that the majority of the building is not adjacent to the street, the end of the building adjacent to the street must have commercial uses on the ground floor but may have residential use on the remainder of the ground floor that is not oriented toward the public street, if the project complies with the other conditions provided in this section. These are all subject to design review by the Planning Commission and the City Council.

City Attorney Shawn Guzman stated this also falls back to default provisions depending on the size of the project.

Mr. Nicholson read additional proposed language which states: If the project is built in phases, each phase shall be all commercial or may include a mix of commercial and residential use. No phase shall be solely residential; and all buildings adjacent to a public street shall have primary frontage oriented toward the public street and shall have a design typical of a commercial building front with integrated style features compatible with other street facing buildings in the project including a significant entryway.

Councilmember Almquist advised these projects will have to come before the Planning Commission and City Council for review. Staff is not trying to design the building just give the developer options.

Mr. Nicholson read additional proposed language which states: Mixed use building heights above thirty five feet (35') will be subject to a conditional use permit as defined in this code; and parking lots shall be located in the interior of a project and not adjacent to a public street. He believes there may be situations in which a parking lot adjacent to a street will be a reasonable alternative. Some may see prohibiting a parking lot adjacent to a street may be problematic.

City Attorney Shawn Guzman advised the ordinance will prohibit a developer who wants to put a parking lot on the corners.

Councilmember Hughes stated that most mixed use projects are planned that way, with the parking in the back.

Mr. Nicholson presented pictures of mixed use plan. If the parking lot issue can be resolved, staff feels pretty good about the ordinance.

City Attorney Shawn Guzman advised the set back for the Main Street garage it is not too far of the street.

Mayor Pike advised that the Council could continue the public hearing. He asked the audience if anyone was present that would like to make comment. He reopened the public hearing.

Wes Davis, a developer, stated he feels comfortable with most of what has been presented. The verbiage proposed by the Legal Department and staff works well. With regards to section D, he supports Mr. Nicholson's stance on the issue, but the way it is worked doesn't quite work. His other suggestion is regarding the landscaping section, the standard nationwide is approximately 10-15%. He is wondering if there is a simpler way to propose that by saying that it is not to exceed a certain percentage.

City Manager City Manager Gary Esplin advised he is concerned with density. If the units are rented to families with children, he questions the livability of those with children.

City Attorney Shawn Guzman stated that a C-4 zone requires a buffer zone between an adjacent zone the is different and also in the parking areas. Language can be added that states, if a complex include amenities, that space can be counted; however, there may still be an amount of green space that is required.

City Manager Gary Esplin suggested to put this item on the next meeting agenda for formal action. That will allow staff an additional week to review the ordinance.

Mayor Pike closed the public hearing. He asked that staff work on further refinements.

Councilmember Almquist stated that with regards to landscape, the interior might have more ground. On the frontage, landscaping is vertical, never horizontal because there is no room.

PUBLIC HEARING/CITY ZONING REGULATIONS/ORDINANCE:

Consider approval of an ordinance amending the City Zoning Regulations, Section 10-18-3:A&C to allow for a 6' high fence or wall to be built to the street-side property line on corner lots.

City Manager Gary Esplin advised this item was previously heard and that a public hearing took place. Staff was instructed to meet with the home builders association to work out some issues. The concerns are the safety zone for a driver backing out of their driveway and not able to see someone on the sidewalk. Additionally, does the Council want to regulate where a driveway would be required if there is a wall next to it.

Bob Nicholson advised that staff met with the Southern Utah Home Builders Association (SUHBA). Their position is that, on a corner lot, they would rather be able to go to the property line and allow for a solid wall. The draft ordinance would allow for a solid 6 foot wall be built on the property line. Additionally, to promote public safety and to provide for maintenance needs of various facilities and equipment the following clearances are required for fences, walls and similar structures: 1) Five feet from pad mount transformer or 4-way vault; 2) Ten feet from the door side of pad mount switch gear and five feet from the non-door side of the switch gear; 3) Five feet from fire hydrants; 4) Three feet from water meter boxes and 5) Three feet from telephone pedestals. Staff will return with an amendment that would require a driveway be located six feet from a property line. He stated that SUHBA is comfortable with the wall going to the property line if the clearances apply. Some utilities are in conduits that are placed prior to a wall being put in.

City Manager Gary Esplin stated would need to look at the location of the utilities. If over the easement, the City will tear the wall down and the homeowner would be responsible to replace it.

Mr. Nicholson stated that this issue can be addressed with the Joint Utilities Commission (JUC).

City Attorney Shawn Guzman advised the City needs to check with Baja to see what kind of clearances they need. With regards to code enforcement, the ordinance can state that a driveway needs to be 6 feet from the fence, however, some homeowners may cement the area next to the driveway to park a boat. This would create a difficulty for the code enforcement officers.

Mr. Nicholson stated that for many years, as long as the fence ordinance has been in place has allowed for 4 foot wall. Now the suggestion is to allow it to go to 6 feet. There is no rush since the change is City generated.

Wes Jenkins stated at the meeting with SUHBA, it was discussed to put a note on the plot that the driveways will have to go on the other side. Curb cuts are included in the ordinance and states that driveways have to be 6 feet off the property line.

City Manager Gary Esplin stated that the Council can adopt the ordinance as proposed. Staff can work with the utility companies to make sure the cable companies conform.

City Attorney Shawn Guzman inquired if the Council wanted to add language that talks about the cement being added next to a driveway. It would be easier for code enforcement to say that it is ok to fill that area in as long as the curb cut is still at least 6 feet over.

City Manager Gary Esplin stated that Phil Solomon pointed out that if the language states communication that would cover cable as well.

City Attorney Shawn Guzman advised the language should add video.

MOTION: A motion was made by Councilmember Hughes to approve the amendment to this code with an amendment adding the curb cut being 6 feet from the property line and that it is ok to fill in that area and to add in section 10-18-5 to add communication or video pedestal.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

HISTORIC PRESERVATION COMMISSION REPORT:

Report from the Historic Preservation Commission meeting held January 14, 2014.

Bob Nicholson stated the Historic Preservation Commission discussed the Orval Hafen home. In 2012, the City Council designated the property as a City Landmark site. There were some stipulations that required the property owner to add siding to the home in addition to changing the roof from metal to composite shingle. The applicant found out that replacing the roof was going to be difficult. Commission recommends the metal roof can remain if it is repainted to a tan color to be approved by Kim Campbell.

Councilmember Almquist stated the original roof was asphalt with gravel. At that time it blended with the architecture.

Mr. Nicholson stated the estimate was approximately \$60,000.00 to replace the roof and a few thousand to paint it.

Susan Crook, representative for the applicant, explained that she spoke with the state historic preservation office about this property. She asked them if they felt it was important to do anything with the roof at this point. They told her that they could not make the determination without an application. She believes the home is an important home to the community. There is an intent to maintain the prop as part of the exhibit for the arts.

Councilmember Arial stated the home sits up on the top of a hill. The integrity of the historic home is there when you look at it. She feels it would be appropriate to leave the roof as is.

Ernie Doose, applicant, stated this is an amazing home, but it needs to have a full restoration. He explained that they are a non profit organization. It is still their intent to restore the home to its original look. They have not been able to operate for the past 2 years because they could not get a business license since they could not meet the restrictions. They are willing to paint the front of the roof. Their intent is to get the home on the national registry and to get to the home to its original state.

Councilmember Almquist stated his concern is what sort of life they would get out of painting it. He changed his feelings and believes the Council should stay this request and allow them to get their business license.

City Manager Gary Esplin advised the Council can approve the recommendations from the commission and delete the requirement to paint the roof.

MOTION: A motion was made by Councilmember Arial to approve the deletion and accept the home as is.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist stated he believes that in this case the color is acceptable.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

SPECIAL OLYMPICS POLAR PLUNGE:

Consider approval of the Special Olympic Polar Plunge.

Police Officer Jeremy Needles advised this will be the second annual Polar Plunge. Last year they raised \$17,000.00 for the Special Olympics. The pool is set to 38 degrees and will have two tons of ice. The event will be February 22 starting at 10:00 a.m.

MOTION: A motion was made by Councilmember Almquist to approve the request for the use of the City Pool.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

SET PUBLIC HEARINGS:

Ray Snyder advised that the Planning Commission, at its meeting held on January 21, 2014, recommended that a public hearing be scheduled for February 20, 2014 to consider: 1) A request to amend the City General Plan Land Use Map by changing the land use designation from MDR to HDR on approximately 5.71 acres located at approximately 1151 South Plantations Drive. The proposed change would allow construction of "Estancia", a resort condominium development with opportunities for short term rentals.; and 2) A zone change request from R-1-10 to PD-C for "Jiffy Lube" on approximately 0.66 acres of land located at approximately north of the intersection of River Road and 1450 South.

Mayor Pike suggests public hearings in the future start at 5:30 p.m.

MOTION: A motion was made by Councilmember Hughes to set the public hearings.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to establish a short-pour concrete batch plant at 690 North Industrial Road in the St. George Industrial Park. Eric Clay, applicant.

Ray Snyder presented the request for a conditional use permit to establish a short-pour concrete plant located at 690 North Industrial Road. At the Planning Commission meeting it was discussed that the applicant will be encouraged to install landscaping which is not required in the manufacturing zone except in section 10-11-4(G). Letters of opposition were received prior to the Planning Commission meeting. One gentleman was interested in having the same type of business across the street. Planning Commission recommends approval.

MOTION: A motion was made by Councilmember Randall to approve the proposed conditional use permit.

SECOND: The motion was seconded by Councilmember Arial.

City Manager Gary Esplin asked if the motion includes the determination of the landscaping the applicant is proposing to add.

Councilmember Randall stated to add the landscaping that the owner said he would put in.

Councilmember Arial agreed.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLATS:

Todd Jacobsen advised the following preliminary plats were first approved by the Planning Commission and City Council in 2008. All are located at approximately 2050 East and Colorado Drive and are zoned PD-R. The developer is proposing name changes as follows: Red Cliffs Park Phase 9 will now be known as Red Cliffs Park Phase 5, and is a 3 lot residential preliminary plat; Red Cliff Park Phase 10 will now be known as Red Cliffs Park Estates and is a 4 lot residential preliminary plat; Red Cliffs Park Phase 5 will now be known as Red Cliffs Park East Phase 1 and is a 13 lot residential preliminary plat; and Red Cliffs Park Phase 6 will now be known as Red Cliffs Park East Phase 2 and is a 16 lot residential preliminary plat.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat amendments as outlined.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

FINAL PLATS:

Todd Jacobsen presented the final plats for Red Cliffs Park Phase 5, a 3 lot residential subdivision located at Colorado Drive and 2050 East, zoning is PD-R; Red Cliff Park Estates, a 4 lot residential subdivision located at Colorado Drive and 2050 East, zoning is PD-R; Red Cliff Park East Phase 1, a 13 lot residential subdivision located at Colorado Drive and 2050 East, zoning is PD-R; Red Cliffs Park East Phase 2, a 16 lot residential subdivision located at Colorado Drive and 2050 East, zoning is PD-R; Riverside Cliffs Subdivision Phase 1, a 28 lot residential subdivision located at approximately 1900 East Riverside Drive, zoning is R-1-8. Staff is working with the Legal Department with regards to a land exchange, the approval of the plat needs to be contingent on Legal approval and is formally known as Palomar Subdivision; Sunterra Subdivision, a 9 lot residential subdivision located at approximately

2110 East and Coyote Springs Drive, zoning is RE-12.5; Sycamore Phase 5, a 3 lot residential subdivision located at approximately 3900 South Little Valley Road, zoning is R-1-10; The Vistas at Entrada Phase 1, a 10 lot residential subdivision located at approximately 2600 North and 2000 West, zoning is PD-R; and Whisper Ridge Phase 5, a 16 lot residential subdivision located at approximately 800 South Cresole Drive, zoning is R-1-10.

City Attorney Shawn Guzman advised that Whisper Ridge Phase 5 is subject to Legal review as well.

Mr. Jacobsen presented a final plat amendment for Snowfield Estates Amended #4, located at 61 South and 65 South Clinton Circle. The proposal is to take the line between 41A and 41B and adjust it to fit down the middle of the house. Originally, there was a problem with the north line and the offsets because of where a wall was built. All aspects in the final plat are carefully reviewed and meets all preliminary plat conditions and approvals.

City Manager Gary Esplin explained the preliminary plat approval process.

MOTION: A motion was made by Councilmember Hughes to approve the final plats and final plat amendment as outlined subject to Legal review for Whisper Ridge Phase 5 and Riverside Cliffs Phase I.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Councilmember Almquist inquired about the road at the end of Colorado that could possibly connect to Washington City. He asked if there was any progress with that.

The developer stated that the original drawing did show the road, but with drainage, he worked out with staff that the best thing is to put in the knuckle. They are dedicating the easement for future a possible future road.

PRELIMINARY PLATS:

Wes Jenkins presented the preliminary plat for Cornerstone Subdivision Phases 1-4, a 65 lot residential subdivision located at the southeast corner of the intersection of 3000 East and Seegmiller Drive, density is 2.93 dwelling units per acre and zoning is R-1-10. This plat originally came to the City a number of years ago and the final plat was approved and recorded. The property fell into bankruptcy and new owner asked the plat be vacated. At the time the plat was vacated, the owner requested that the portions of 3000 East that were dedicated to the City, remain as public right-of-way and the equestrian trail easement along 3000 East and the easement along the extension of Seegmiller drive remain as dedicated to the City. The developer will put in a deceleration lane off 3000 East. The lots along 3000 East will be double fronting lots and will require a 10 foot landscape strip and a 6 foot privacy wall. Staff is recommending that the 5 foot sidewalk along the north side of Seegmiller drive be eliminated from 3000 East to proposed lot 61. The future multi-use trail along the north side of Seegmiller will be used in lieu of the sidewalk. There is a 100 foot buffer setback along the south side of Bridle Gate that is part of the City General plan. This buffer is to separate residential from agriculture. The buffer will severely affect lots 61 and 65. Staff's opinion is that the buffer should be from the equestrian arena on the north side of Bridle Gate, not from the south property, therefore, staff recommends that the buffer not be used against these lots. The developer is proposing a detention basin north of lot 65. He spoke with the Parks Department to see if that would be a nice amenity as part of their trails. Originally, there was a 66 foot road, however, there is an overhead transmission line that cannot be moved. He visited with the Public Works Department and they feel comfortable for the road to go a 50 foot road.

Councilmember Hughes stated that they took somewhat of a beating with regard to the buffer.

City Manager Gary Esplin stated that it is important that the lots are the same size as the ones across the street.

MOTION: A motion was made by Councilmember Almquist to approve the preliminary plat for Cornerstone Subdivision Phases 1-4.

SECOND: The motion was seconded by Councilmember Randall

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - nay
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Riverside Cliffs Phase 2, a 23 lot residential subdivision located south of Riverside Drive at approximately 1900 East, density is 3.36 dwelling units per acre and zoning is R-1-8. The existing rock walls shown on this preliminary plat were constructed originally when the subdivision was known as Palomar subdivision. A letter from a geotechnical engineer will be required prior to the recording of the final plat that states that these walls were constructed per the City standards.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Riverstone Subdivision Phase 9, a 13 lot residential subdivision located on the west side of Pioneer Road at approximately 4000 South, density is 2.34 dwelling units per acre and zoning is R-1-10. The project was part of the original Las Colinas subdivision. There is an existing overhead transmission line that extends through this property. The developer, with Dixie Power, is relocating that line to the south boundary line of the project. The developer is proposing a rock slope along the rear of lots 114-120 and 41, 43 and a small portion of lot 42. To construct the proposed public roadway, the developer will be required to grade onto the SITLA property to the south. Additionally, the developer is proposing to install sewer from lot 40 to the west along the proposed public roadway and dedicate a small piece to the City. Parks does not know if they would like the property. The proposed cul-de-sac is approximately 870 feet in length. The City standards state that a cul-de-sac shall not be longer than 600 feet in length. Staff recommends that the cul-de-sac be allowed to 870 feet in length in lieu of a proposed 300 foot driveway.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Riverstone Subdivision Phase 9 with conditions outlined by staff.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye

Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Meadow Valley Estates Phase 4, a 7 lot residential subdivision located on the west side of Little Valley Road at Mountain Ledge Drive, which is approximately 2910 South, density is 2.56 dwelling units per acre and zoning is RE-12.5. This preliminary plat was heard at the City Council meeting on December 19, 2013 and was denied. The developer has revised the layout and is proposing not to extend Mountain Ledge Drive to Little Valley Road, but instead, terminate Mountain Ledge Drive as a cul-de-sac at Little Valley Road. The two proposed lots along Little Valley Road will be double fronting lots and will require a 10 foot landscape strip with a 6 foot high privacy wall along Little Valley Road. The question is, who is to maintain the landscape strip.

City Manager Gary Esplin stated that if it is a 66 foot road, the City maintains the landscape. The developer would pay a fee per lot for the City to maintain it. It does not work if the property owner is required to do the maintenance.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Meadow Valley Estates Phase 4 with notes outlined by staff with the 10 foot landscaping strip on the double fronting lots.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for Hidden Pinyon Subdivision, a 21 lot residential subdivision located north of Ledges Phase 7, east of Winchester Hills and directly west of hole 3 on the Ledges golf course, density is 2.56 dwelling units per acre and zoning is PD. The master plan that was approved for this development in December 2007, the area where this subdivision is being proposed was approved for 79 units over 20.5 acres which is a density of 3.85 dwelling units per acre. The developer will dedicate portions of the road and will enter into an agreement that the City will maintain the road and they will pay a fee for the maintenance of the road.

City Manager Gary Esplin advised the reason the street is private is because of legal issues of the original owners and developers of the subdivision. There were also some issues with the landscaping around the interchanges. His concern is, where is the other access to the property. He inquired of Stacy Young if the access is dedicated and if he had a problem hooking the road with any plats recorded with the County. In the past, there was a discussion with Winchester home owners who were concerned with development encroaching on their property. There needs to be a second access.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for the Hidden Pinyon Subdivision.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye

Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Councilmember Almquist inquired where the water was coming from.

City Manager Gary Esplin advised the water will come from the City.

PRELIMINARY PLAT:

Wes Jenkins presented the preliminary plat for the Northgate Subdivision, a 20 lot residential subdivision located north of Ledges Phase 7, east of Winchester Hills and directly west of hole 3 on the Ledges golf course, density is 3.27 dwelling units per acre and zoning is PD. The development was originally zoned for 3.85 dwelling units per acre. It will have an undisturbed area, an open space area and a public street in the middle.

MOTION: A motion was made by Councilmember Almquist to approve the preliminary plat for the Northgate Subdivision.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented Fieldstone Subdivision Phase 2, a 30 lot residential subdivision located south of Little Valley Elementary School along the south side of Equestrian/Crimson Ridge Drive at approximately 2200 East, density is 3.24 dwelling units per acre and zoning is R-1-10.

Councilmember Almquist inquired if the development still has the drainage to the west.

Mr. Jenkins replied yes.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for Fieldstone Phase 2.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Wes Jenkins presented Fieldstone Subdivision Phase 3, a 26 lot residential subdivision located south of Little Valley Elementary School along the south side of Equestrian/Crimson Ridge Drive at approximately 2150 East, density is 2.81 dwelling units per acre and zoning is R-1-12. There is a master plan road that will extend Bryce Christensen's property south through to Commerce Drive. The developer has proposed to take the road in their subdivision and make the lots double fronting. Staff felt that was a good solution, however, the developer would have to install a privacy wall. The road will be a 66 foot road. Lots

will have a note on the plat about them being in an agriculture area. One question is whether a landscape strip will be required.

MOTION: A motion was made by Councilmember Hughes to approve the preliminary plat for Fieldstone Phase 3.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on December 5, 2013.

MOTION: A motion was made by Councilmember Randall to approve the minutes.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on December 12, 2013.

MOTION: A motion was made by Councilmember Bowcutt to approve the minutes.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF MINUTES:

Consider approval of the minutes from the City Council meeting held on December 19, 2013.

MOTION: A motion was made by Councilmember Randall to approve the minutes.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CLOSED SESSION:

MOTION:

SECOND:

VOTE:

A motion was made by Councilmember Hughes for litigation.
The motion was seconded by Councilmember Randall.
Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION:

SECOND:

VOTE:

A motion was made by Councilmember Almquist to reconvene and adjourn.
The motion was seconded by Councilmember Hughes.
Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
FEBRUARY 6, 2014, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Bowcutt and the invocation was offered by Reverend Alex Wilkie.

Mayor Pike mentioned that Coach Sark Arslanian celebrated his 90th birthday this week. Additionally, he mentioned upcoming events such as the Parade of Homes and the Polar Plunge.

COMMENTS FROM THE PUBLIC:

Mayor Pike stated this is the first day that public comment will be heard at a regular Council meeting and will continue on the first Thursday of each month. The three ground rules are: 1) Keep total time to approximately 15 - 20 minutes; 2) Show respect; and 3) Comments cannot be related to pending issues which the other party is not present to present their side. For example, there are a number of people present who wish to discuss a project on 1450 South and River Road, however, there will be a public hearing when the zone change request comes before the Council. Although, these items are on tonight's agenda, he will allow comments to be heard on roundabouts and Little Valley Road improvements since the City is present to tell their side. There was an opportunity for a public hearing for both of these projects during the budget process.

Len Levine stated he would like to discuss fireworks. He believes the problem here in St. George is the fact that fireworks are allowed a few days before and after the holiday. He feels that this issue affects animals. Personally, this problem has cost him over \$1,000.00 in vet bills. He suggests that fireworks be allowed only for one day. His concern is that pets cannot speak for themselves. He feels his suggestion would cut down on problems with the Fire Department as well.

City Attorney Shawn Guzman advised that the League of Cities and Towns was not in favor of the change at the legislature. The League voiced their concerns that each jurisdiction should be allowed to control fireworks. The state is losing too much money to out of state fireworks. The City cannot currently prohibit fireworks in most areas of the City, unless there is a change by the Legislature.

Mr. Levine stated he feels all pets must be on leashes, cats included. When feral cats run from day and night, the dogs bark and disturb the peace. There are too many kittens out there. He feels the feral cats should be caught and sold.

Mayor Pike explained that is one item that is being looked at.

Thayne Bristol stated he feels that roundabouts are dangerous. He has come close to being hit by cars while in them and feels they are a waste of tax payer dollars. He believes a 4-way stop or traffic lights are a safer alternative.

Mayor Pike advised that there are people on both sides of this issue. There may be differing opinions even on the Council. Under the right circumstances roundabouts can be a good idea. In terms of price, they are similar to a traffic signal.

Brent Crosby stated he is concerned regarding the expense of the roundabout when the City cannot take afford to take care of the City Cemetery. In July, he found that one of his relative's headstones was damaged. The Cemetery admitted that they damaged the headstones with the lawn mower. He has been told several times that the City does not have the funds to maintain the Cemetery properly. The water that is being used at the Cemetery is also damaging the headstones. He would like to schedule a time for the Council to meet him at the Cemetery.

Councilmember Hughes advised that the goal is to keep the Cemetery affordable. He has spoken with Kenworthy Monuments regarding the headstones and water. Possibly, staff can look at volunteers to help maintain the Cemetery. He stated that he will follow up with Mr. Crosby.

City Manager Gary Esplin stated the water is taken out of the River, pumped to the ponds at the City yard and then are pressured back down and they irrigate not only the Cemetery, but also City parks, the Dixie State University campus and the middle school and high school campuses. There have been discussions regarding the content of water.

Mayor Pike advised that the roundabouts are one time funds and the Cemetery long time funds.

Paul Gooch stated that residents in Little Valley tried to find ways to preserve agriculture use. They are not against development in the area and over the last few years they have remained quiet. It wasn't until this week, when Little Valley Road was closed, it dawned on them that the traffic in front of their subdivision is heavy. The potential to keep the agriculture is feasible if they get rid of the race track in their neighborhood. With having large animals they do not feel safe any longer. He and his neighbors are asking for a brief reprieve.

Dorothy Engleman stated that she is concerned about the fact that she heard different things regarding the opportunity to give public comment. There were a number of citizens present earlier to give their comments only to be told that they were forbidden to speak about their issues. She believes it is interesting that there was no way for the public to know, other than from the newspaper, that public comments were going to be heard. Previously a rule was that anything can be discussed unless the item was on the agenda that day. It seems to her, that the Council threw that rule by the wayside with the comments that were previously heard. She believes that there is an inequality with the public comment is being administered. Her hope is that citizens are encouraged to speak and that all rules are enforced equally.

Mayor Pike stated that he is sorry for the confusion, this is the first time public comments have been heard in this setting. He allowed the items that are on tonight's agenda to be heard because the City is the other side. Although the rules may be adjusted a bit, he does not believe there will be a change regarding the rule that pending items cannot be discussed, such as 1450 River Road.

City Attorney Shawn Guzman stated this could be the other way around, the developer could have been here to speak and the residents were not notified that he was coming in to speak. The fairest way is to say if it is an issue requires a public hearing, the public hearing will be noticed.

Ronna Marker explained that she was confused because she received a letter dated February 6, 2014 notifying her that they were allowed to come to discuss the Jiffy Lube project. She stated that on the City's website, under the General Plan 5.6.1, floodplain policies state "The City's policy is to discourage any development within the 100 year flood plain. Exceptions can be made for uses compatible with periodic flooding such as trail systems, golf courses and other public or private uses that will permit the free passage of flood waters". Chapter 1 states "The present planning challenge is to direct and to manage

growth in order to preserve the quality of life now enjoyed by residents". Having an outline of what the City is doing doesn't help if it isn't being followed, particularly not building in the floodplain. There were huge ramifications of the 2005 and 2010 floods with regard to structures built in the floodplain. Her hope is that the Council is familiar with what is on the City Plan and she hopes they are more careful with obeying those presets.

Travis Marker stated that he feels it would be helpful if the City can look at how many residents actually live within the 500 feet when sending notifications for zone changes. He wondered if the borders can be looked at so that more residents that may be outside of the 500 feet could be given notice and give them the opportunity to participate. Additionally, he is aware that the General Plan is discretionary, however, it is clear that the City could make a provision that portions of the plan do become an ordinance that would have to be followed. He suggested stronger language in the General Plan, rather than it saying 'discouraging' it could say 'prohibits'. It might provide some opportunity that may be beneficial to the City.

Mayor Pike advised that even ordinances can be changed.

City Attorney Shawn Guzman stated that is it fair to go beyond the 500 foot range when sending notifications. As far as the ordinances and General Plan, there is a reason why there is a General Plan. In the past there were Master Plans which, in sense, became the zoning. The General Plan just says that this intersection can be commercial. If it is done by ordinance, you lose the flexibility.

Mr. Marker stated that sometimes it may be better to have a law that is not flexible. He was astonished at the damage the river caused during the flood.

City Attorney Shawn Guzman stated that approximately 7 years ago, there was a drive at the Legislature to do away with all of any requirements regarding aesthetics on hillsides and engineering. Now you are talking about someone else's property rights and Utah is a property rights dominated state. When you look at the flood plains, for example, with the laws that are in place, if a developer can engineer the property so that it is out of the flood plain, the City needs to be very careful about denying them the right to develop the property.

Councilmember Hughes advised that the notice can be looked at as it has been an issue at Planning Commission meetings.

City Manager Gary Esplin clarified the General Plan is a guideline. In the ordinance, a developer has the ability to build on their property if they take it out of the erosion hazard area and elevate out of the flood plain. The erosion hazard is different than the 100 year flood plain. The issues in Santa Clara were not because they built in the flood plain, it was because of an erosion hazard issue. Further, there is no federal or state law that states that building cannot happen in a flood plain. City code states that you can build in a flood plain if it is elevated 2 feet out of the flood plain, however, you can build a number of other things in a flood plain without elevating.

APPROVAL OF CONTRACT:

Consider approval of a contract with Progressive Contracting, Inc for the construction of River Road Bridge and Trail Erosion Protection.

City Manager Gary Esplin advised that the NRCS has completed a portion of the erosion hazard boundary along the south side of the Virgin River. This would provide extra protection for the River Road Bridge and utilities as well as provide a trail along this portion of the River.

Purchasing Manager Connie Hood stated that the total cost \$104,484.18, the City's portion is \$67,117.00. The remaining portions will be paid for by the adjacent property owners.

MOTION: A motion was made by Councilmember Almquist to award to Progressive Contracting, Inc. for the project discussed in the amount of \$67,117.00, total cost of \$104,484.18.

SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to Progressive Contracting to build the 600 West Tonaquint and 400 East Tabernacle roundabouts.

Purchasing Manager Connie Hood advised Progressive Contracting submitted the low bid of \$549,117.67. There were 3 bidders for this project.

City Manager Gary Esplin stated the roundabouts will have landscaping similar to what is on the other side of the road. Additionally, there will be a sidewalk and the roadway will be widened and tie in to Dixie Drive. He advised that the Council authorized expenditures of funds to finish the entire project. Staff will be providing some of the trees at the nursery.

Councilmember Arial asked if there were plans for landscaping within the roundabouts. Citizens are concerned about the height of some of the plants used.

City Manager Gary Esplin stated that staff can make sure they are not too high. There is a potential for an art piece in the middle. Safety is always a concern.

Councilmember Hughes stated he is not generally in favor of roundabouts; however, he has concluded that drivers do not drive through them properly.

MOTION: A motion was made by Councilmember Hughes to award the bid to PCI for the 600 West Tonaquint and 400 East Tabernacle roundabouts in the amount of \$549,117.67.

SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

Councilmember Almquist stated that most of the decision is based on a graduated scale of what would be appropriate for an intersection. What level the intersection is graded will tell you what the appropriate application, a signal, a roundabout or a 4-way stop.

AMENDED MOTION:

A motion was made by Councilmember Hughes amended his motion to include the landscaping for \$117,199.23 for the alternate.

SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPROVAL OF CONTRACT:

Consider approval of a contract with Progressive Contracting, Inc for the construction of the 2013 Riverside HMGP Project

Purchasing Manager Connie Hood advised this project is partially funded by a grant. This contract would be with Progressive Contracting, Inc. for the construction of the 2013 Riverside HMGP project. The grant would cover 75% of the cost, the City would cover 25%. Total cost of the project is \$208,240.00.

City Manager Gary Esplin explained this area is right below the Volunteer Doctor's Clinic and the parking lot for the Virgin River trail. During the last flood, the City applied for and was awarded a grant from the State and FEMA to mitigate for future storms. This would solidify that particular area. The City's match is 25%.

MOTION: A motion was made by Councilmember Almquist to award the bid to Progressive Contracting, Inc for the Riverside HMGP project, total amount of the project is \$208,240.00, with the City being responsible for 25%.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider approval of an agreement with PUB-QP, LLC to construct improvements along 3000 East, Phase 2, in the vicinity of 1130 South.

Purchasing Manager Connie Hood advised this cost sharing agreement is with Quality Properties for Phase 2 of the 3000 East project. The cost of the agreement is \$126,000.00.

City Manager Gary Esplin explained that as the next phase of 3000 East is improved, this is the portion goes from Phase 1 north to the new road that will be built as part of the Mall Drive Bridge. This project will widen the shoulders to the west side. The property owner has agreed to dedicate the roadway and install curb and gutter. The City will then improve the road. Since there are no plans to develop the area at this time, the City will have to use funds to advance the tie in to the Mall Drive Bridge.

Councilmember Hughes inquired if there was a way to have an agreement in which adjoining property owners reimburse the City when they develop.

City Manager Gary Esplin advised the funds will come from impact fees so someone has already paid.

MOTION: A motion was made by Councilmember Hughes to approve the agreement with PUB-QP, LLC for the improvements along 3000 East, Phase 2 in the amount of \$126,000.00.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CHANGE ORDER:

Consider approval of a change order to the 3000 East, Phase 1 project to extend improvements for an additional 525 feet along 3000 East in the vicinity of 2000 South.

City Manager Gary Esplin advised this request is a similar situation as the last item. The developer has stated that he will not improve his property at this time, it may be 2-3 years. There is a section of property that will not be improved unless the City does it. The developer has agreed to contribute \$30,000.00 and will dedicate a specially designed manhole that is needed. The City will put in the additional improvements along the frontage in order to tie the whole project on that side of the road. There is no way of forcing someone to pay, so there have never been reimbursable agreements with developers. The total cost is \$82,107.50 with the City's portion being \$52,107.50.

MOTION: A motion was made by Councilmember Arial to approve the change order in the amount of \$52,107.50.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to Bud Mahas Construction for the City Hall East Annex Plaza on 200 East.

City Manager Gary Esplin stated this request is for the award of bid to Bud Mahas for the City Hall East Annex Plaza on 200 East.

Purchasing Manager Connie Hood advised that Bud Mahas came in with the low bid. The cost of the bid, including the alternate is \$152,552.07. There were 3 bids received.

City Manager Gary Esplin explained that Bud Mahas has the existing contract to move the Recreation Department to the East Annex. This bid will be for the cement and re-doing the plaza. There are funds in the current budget.

MOTION: A motion was made by Councilmember Randall to award the bid to Bud Mahas Construction for \$152,552.07 for the City Hall East Annex Plaza.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to Interstate Rock Projects, Inc for Little Valley Road improvements.

City Manager Gary Esplin advised during the current budget, \$860,000.00 was budgeted for improvements on Little Valley Road. There have been property owners stating the road was

unsafe with the amount of traffic. Little Valley Road was dedicated as a 66 foot road in 1982. All subdivisions that have been improved in that area have deeded the right of way for the 66 foot road. Eventually, the road will hit 3000 East and go across the Fort Pierce Wash. Council has instructed staff to install 30 feet of pavement down to Crimson Ridge Drive. Tonight's agenda includes a request for an agreement with the developer to jointly put in the improvements. Once construction starts on Little Valley Road, there will be no access. Staff recommends taking an additional \$250,000.00 to improve from Crimson Ridge Drive to Banded Hills Drive. There will be a number of connections to 3000 East when everything is done. The developer is putting in \$1.5 million to make the improvements on his side of the road. The City is putting in \$400,000.00 and will end up with a 40 foot road. Additionally, included in the current budget are funds to improve Little Valley Road.

Councilmember Hughes inquired how far the curb and gutter will go.

Transportation Manager Cameron Cutler replied that this project puts curb, gutter and sidewalk on the east side of the road to Horseman's Park Road. He stated that he met with each property owner to discuss how this will affect their driveways and driveway entrances. He explained that drainage would be an issue without curb and gutter.

City Manager Gary Esplin advised the request is to approve an agreement with Quality Excavation and for the City to reimburse them later. If the property owner makes his improvements now and the City waits, there are some issues with the water line that runs through the middle of the road. His understanding with the timing on 3000 East is that it will be completed in approximately 2-3 weeks with the idea of having it to Crimson Ridge Drive. The developer is already working on some of the excavation. Council can choose not to participate at this time and require the property owner to do his frontage and could have a 25 foot road which is not enough in his opinion versus having a 40 foot road all the way to Banded Hills.

Councilmember Almquist stated he feels that anything that make 3000 East safer in a cost sharing agreement is worth it. He believes there will be more of a benefit by doing the improvements at the same time. The whole purpose of having a grid or a network is having alternatives for safety reasons. In this case, whatever traffic calming can be done to allow the agriculture feel, go ahead and improve 3000 East.

Councilmember Hughes stated one issue that he feels is important, is preserving the agriculture lifestyle in the Little Valley Area. He would like the Council to do a site visit to the area before this bid is awarded.

City Attorney Shawn Guzman inquired about how long the bid is good for.

Mr. Cutler answered that he would have to check the bid documents.

Councilmember Bowcutt stated he has the same concerns that Councilmember Hughes has. He asked if the request can be tabled at this time.

Councilmember Randall stated that after spending time in the area this morning with Councilmember Arial, she agrees with Councilmember Hughes. She would like a site visit as well.

Councilmember Almquist inquired if the road is safe enough to remain in the current condition.

Mr. Cutler replied that he would have to find out how much of the chip seal has been torn up. It can be maintained with roadbase but will have to watered frequently so there is no dust.

Mayor Pike stated that in light of the comments and pending bid, he suggests the Council do a site visit next week.

Councilmember Arial stated that she has great sympathy for the agriculture areas, however, she feels there is a great need to improve the road and provide additional access.

City Attorney Shawn Guzman advised to continue on with the other agenda items and have Mr. Cutler research the time frame of the bid.

Mayor Pike stated that he feels there is no reason to wait on item 2H, however, he would like to wait until it is determined when the bid will expire, to take action on item 2B.

APPROVAL OF AGREEMENT:

Consider approval of an agreement with Quality Excavation for improvements on 3000 East in the vicinity of Crimson Ridge Drive and Banded Hills.

MOTION: A motion was made by Councilmember Almquist to approve the agreement with Quality Excavation for improvements on 3000 East from Crimson Ridge Drive and to Banded Hills.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AMENDING SECTION 10-10-5:K OF THE CITY ZONING REGULATIONS/ORDINANCE:

Consider an ordinance amending section 10-10-5:K of the City Zoning Regulations to modify the requirements for mixed use projects in the C-4 zone.

Bob Nicholson stated the mixed use standards applies only to the C-4 zone, which is a small portion in the downtown area. The mixed use combines residential and commercial uses. Plans have to be approved by the Planning Commission and City Council similar to a planned development zone. In the mixed use standards, there is not a density cap. The factors for limiting the density will be building height, parking requirements and the landscaping. If a project is built in phases, each phase shall be all commercial or may include a mix of commercial and residential use. No phase shall be solely residential. Wes Davis suggested to add that no phase shall be solely residential unless some commercial has been built in previous phases.

City Attorney Shawn Guzman stated that he agrees with Mr. Davis' suggestion. Saying some commercial is not clear enough, however, staff can work on a ratio that will work.

Mr. Nicholson advised there are some basic building design standards will require a building facade to have architectural variations. The ordinance could include language that requires that material samples be included for approval. This is required in a PD zone. There is no density cap, so when approving, you will want to make sure it is a high quality building of character.

Councilmember Almquist advised that he would like to add language to that effect.

Mr. Nicholson stated with regards to the landscape provisions, the proposed ordinance states that mixed use developments must provide a minimum of 20% of the total site area in landscaping, which may include recreation facilities such as playgrounds, outdoor pools, tennis courts and basketball courts. No more than half of the total required landscape area may consist of recreation facilities.

City Attorney Shawn Guzman advised that changes need to be made to the proposed ordinance. Currently, the language states that a minimum of 50% be for commercial uses. He inquired if it could say that no phase shall be solely residential unless at least 50% of the minimum commercial use has been built.

MOTION: A motion was made by Councilmember Hughes to amend the City Zoning Regulations for mixed use projects in the C4 zone with the changes give to Bob Nicholson.

SECOND: The motion was seconded by Councilmember Arial.

Councilmember Almquist eager to move forward. Talked about the fact that some of the buildings will have a sidewalk and frontage with no landscape requirements. He inquired if street trees will be required.

Mr. Nicholson replied that the commercial store front may have an extra wide sidewalk.

City Attorney Shawn Guzman advised trees can be addressed when the site plan comes in for approval. The way the proposed ordinance is drafted it will give an opportunity to review that.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RESOLUTION:

Consider a resolution increasing the fees at the St. George Animal Shelter.

City Manager Gary Esplin advised the resolution is a recommendation for changes of the fee structure at the Animal Shelter.

Sergeant Fuller stated that the proposed fees changes are as follows: Relinquishing an animal be \$50.00; impound fees be \$50.00 for the first impound, \$75.00 for the second and \$100.00 for the third; and adoption fees be \$50.00 for dogs which would include the spay and neuter fee. Additionally, after the Animal Shelter Review Board meeting, staff felt that \$50.00 may be too much for adult cats, therefore, they suggested the fee to adopt a cat be \$40.00.

Mayor Pike stated that he attended the board meeting this past Tuesday. He thanked Sgt. Fuller for his work. His plan is to expand the board as he was impressed with the members and for what they are doing to help get the animals adopted. The boarding fee will remain \$5.00 per day.

Councilmember Hughes asked if the animal rescue groups are in agreement with the fees. He is concerned with the first time impound fee, he feels it may be too high.

Mayor Pike advised there is a cost of sending someone out to get the animal. In comparison to other city's the proposed fee is reasonable.

MOTION: A motion was made by Councilmember Arial to approve the resolution increase the fees for the St. George Animal Shelter per the schedule provided, adding that the adoption fee for cats be \$40.00.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

SALE OF CITY PROPERTY:

Consider the sale of excess City property located next to 2881 South Evergreen Drive. Samoa Tumanuvao, applicant.

City Manager Gary Esplin advised that in order to sell 16.08 sq feet of City owned property to the adjacent property owner, it needed to be declared surplus. This request has been reviewed by the JUC. The proposed purchase price is \$1.00 per square foot.

Councilmember Arial stepped out.

MOTION: A motion was made by Councilmember Almquist to proceed.
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Mr. Tumanuvao thanked the Councilmembers for their consideration.

FEE WAIVER:

Consider approval of a fee waiver for the use of Snow Park for the Best Friends Animal Society Pet Super Adoption event. Tamara Simon, applicant.

City Manager Gary Esplin advised that staff is in agreement with the fee waiver and encouraged the adoption program to go forward.

MOTION: A motion was made by Councilmember Bowcutt to approve the fee waiver.
SECOND: The motion was seconded by Councilmember Almquist.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Councilmember Arial returned.

FULL SERVICE RESTAURANT LIQUOR LICENSE:

Consider approval of a full service restaurant liquor license for the Ninja Japanese Steakhouse & Sushi Restaurant located at 245 North Red Cliffs Drive #10. Jun F Zhou, applicant.

City Manager Gary Esplin advised this new business is in the same location as the former Samurai 21. Technically it will be a new license, however, the previous owner had one. The applicant meets all requirements and staff recommends approval.

MOTION: A motion was made by Councilmember Randall to approve the liquor license for the Ninja Japanese Steakhouse & Sushi Restaurant.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Consider approval of a conditional use permit to construct a detached garage with a height up to 29" at 2529 East 3860 South. Gerard Holzapfel, applicant.

City Manager Gary Esplin apologized to the applicant for not having this on the previous agenda. He advised that the planning Commission recommends approval.

Craig Harvey stated the height will exceed what is allowed, therefore a conditional use permit is required. The residence is located at 2529 East 3860 South, zoning is RE-37.5. The proposed structure will be located in the rear yard approximately 90 feet from the house and 10 feet from the side and rear property line and will be used to store the applicants boat and RV. The proposed height is due to accommodate the main dwellings roof pitch in addition to the height of the RV. The garage will have the same finishes as the existing home and similar colors. Planning Commission recommends approval with findings. A letter in opposition was received from a neighbor to the east that explained that there will be a partial blockage of the their view, however, for the applicants to not obstruct the view, they would have to move it almost the same length of the structure forward. The applicant's property is approximately 4 feet lower than their neighbors.

MOTION: A motion was made by Councilmember Randall to approve the conditional use permit.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

APPOINTMENTS:

Mayor Pike mentioned that the Mayor and City Council are members of the Solid Waste Board meet on Monday at 5:00 p.m.

CONTINUED DISCUSSION:

Consider award of bid to Interstate Rock Projects, Inc for Little Valley Road improvements.

City Manager Gary Esplin advised the bid will expire 60 days from January 28, 2014.

Mayor Pike stated he feels the Council should make a trip to the area. The project has been approved in the current budget.

MOTION: A motion was made by Councilmember Almquist to table the request to February 20, 2014 and to include a site visit on the agenda for February 13, 2014.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the City Council meeting held on January 6, 2014.

MOTION:

A motion was made by Councilmember Almquist to approve the minutes.

SECOND:

The motion was seconded by Councilmember Bowcutt.

VOTE:

Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the City Council meeting held on January 2, 2014.

MOTION:

A motion was made by Councilmember Bowcutt to approve the minutes.

SECOND:

The motion was seconded by Councilmember Almquist.

VOTE:

Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the City Council meeting held on January 9, 2014.

MOTION:

A motion was made by Councilmember Almquist to approve the minutes.

SECOND:

The motion was seconded by Councilmember Arial.

VOTE:

Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

ADJOURN TO CLOSED SESSION:

MOTION:

A motion was made by Councilmember Almquist to adjourn to a closed session to discuss a land issue.

SECOND:

The motion was seconded by Councilmember Arial.

VOTE:

Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist- aye
Councilmember Hughes - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

RECONVENE AND ADJOURN:

MOTION:

A motion was made by Councilmember Almquist to reconvene and adjourn.

SECOND:

The motion was seconded by Councilmember Bowcutt.

VOTE:

Mayor Pike called for a vote, as follows:

Councilmember Almquist- aye

Councilmember Hughes - aye

Councilmember Randall - aye

Councilmember Bowcutt - aye

Councilmember Arial - aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder

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